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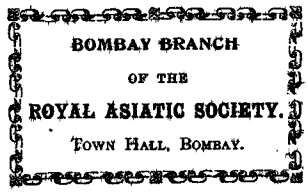

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THE ACTS

OF THE

PARLIAMENTS

OF

SCOTLAND.

VOL. VI.

108087

A. D. M.DC.XLIII. — A. D. M.DC.LI.

PRINTED BY COMMAND OF HIS MAJESTY

KING GEORGE THE THIRD,

IN PURSUANCE OF AN ADDRESS

OF THE HOUSE OF COMMONS OF GREAT BRITAIN.

M.DCCC.XIX.

1819

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A Chronological Table

OF THE

ACTS AND STATUTES,

AND OTHER

PARLIAMENTARY PROCEEDINGS

CONTAINED IN THIS VOLUME.

In the following Table of the Contents of this Volume, the Titles of all the known Acts of Parliament, have been inserted in their proper Places, although the Acts themselves have not been preserved; but in such instances, the loss of the Act is denoted by an Asterisk affixed to the Title.

A Chronological Table.

ACTA PARLIAMENTORUM CAROLI PRIMI.

CONVENTIO APUD EDINBURGH.

1643, Jun. 22. Roll of the Conventioun. p. 3.
Protestations anent precedencie. 5.
Act anent the sheriff of Teviotdaills Commissioun for Roxburgh. 5.
Act anent the Commissioners of Forfar. 5.
Jun. 23. Remonstrance and Charge against Robert Erle of Carnwath. 5.
Protestation by the Viscount of Arbuthnot anent precedencie. 6.
Jun. 24. Decreit against Robert Erle of Carnwath. 6.
Commissioun anent the act of constitution of this Convention. 6.
Jun. 26. Act of Constitution of this Convention. 6.
Acts anent Recording of Protestations. 6.
Jun. 27. Act for printing the Declaration of the Generall Assemblie &c. 7.
Jun. 28. Committie for furnishing the armie in Ireland. 7.
Acts anent the Earle of Antrims papers. 7.
Jun. 29. Letter to the Kingis Majestie anent the Earle of Antrim. 7.
Letter to the Speakers of the Houses of the Parliament of England. 7.
Jul. 1. Commissioun for tryell of the Earles of Traquair and Carnewath. 7.
Jul. 4. Answer of the Conventioun of the Estates to the Remonstrance and defyres of the Commissionars of the Generall Assemblie. 8.
Commissioun to John Kennedie burges of Air for outrigging of tua ships. 9.
Jul. 5. Warrand for delivering six cannon &c. 9.
Jul. 6. Remonstrance of the Commissioners of the Generall Assemblie concerning the remedies of the present danger of Religioun. 9.
Jul. 7. Warrand for delivery of Captane Andro Watsones ship. 11.
Jul. 8. Act for restraint of ships. 12.
Letter to his Majestie anent the armie in Ireland & piratts. 12.
Jul. 11. Orders for keiping the meitings of the Conventione. 12.
Committee for the remedies of the dangers of Religioun. p. 13. 1643, Jul. 11.
Anent the Earles of Traquair and Carnewath. 13. Jul. 13.
Warrand to print the Answer of the Convention to the Remonstrance of the Generall Assemblie and the second Remonstrance. 13.
Declaration of the Parliament of England. (Jun. 27, 1643.) 13. Jul. 14.
Citation aganis George Marquis of Huntlie and others. 14.
Answer of the Estates to the Declaration of the Parliament of England. 14. Jul. 17.
Commissioun & Instructions to Mr Robert Meldrum to repair to London anent the armie in Ireland. 15.
Letter to the Parliament of England anent the Earle of Antrim. 17.
Warrand to the Lord Generall anent the Earle of Antrim. 17.
Act for Mr Robert Meldrums charges. 17.
Letter to the officers of *the Scots armie* in Ireland. 17.
Commission against Irish & Dunkirk frigots. 18. Jul. 19.
Act for assurance of some Canon. 18.
Committee for proportioning of the Loane of eicht hundreth thowsand pund. 18. Jul. 20.
Recommendation in favors of Thomas Cuninghame merchant in Campheir 19.
Warrand for trying some Dunkirkers. 19.
Letter to his Majestie anent the Earle of Antrim. 19. Jul. 21.
Act for Colonell David Leslies employment in the publict service. 19. Jul. 28.
Act for leveying some troups of horse and foote. 20.
Committee anent the Annuities. 20. Aug. 4.
Contracts with George Jameson and Robert Gordon for ait meall. 20.
Commissioun to James Rosse against Irish frigots. 21.
Act for releiffe of 5000 merks to the Commissioners of Glasgow Ayre and Irveing. 21.
Anent Sir John Gordoun of Haddo his processe and fynes. 21.
Denunciation against James Lord Ogilvie. 22.
Protection to George Marques of Huntlye. 23.

1643, Act anent George Lord Bamffs appearance. p. 23.
Aug. 8. Forme of Caution to be fund. 23.
Aug. 9. Committee to meit with the English Commiſsioners. 23.
Aug. 10. Letter to the Kingis Majeſtie. 23.
Prorogation of ane Juſtice Court at Stirling. 24.
Committee to meitt with the English Commiſsioners. 24.
Aug. 11. Caution for Johne Lord Herreis. 24.
Aug. 15. James Hamiltoun of Bogis his accompts allowed. 24.
James Stuart and M[r] Robert Farquhar their accompts allowed. 25.
The Marquiſe of Argyll his accompts allowed. 26.
Act for the Loan and Taxt of 1200000 merks (to be uplifted out of Foullis lands &c. promiſcuouſly conforme to new Rolls of Valuation.) 26.
The desyre of the English Commiſsioners. (Aug. 12. 1643.) 36.
Aug. 16 Act anent the Annuitie. 38.
Anſwer from the Parliament of England to the Inſtructions of M[r] Robert Meldrum. 39.
Act in favors to M[r] Robert Meldrum. 40.
Aug. 17 Commiſsionating S[r] Adam Hepburn of Humbie myne collector of the Loan and Taxt. 40.
Commiſsioun to be betuix the tuo Kingdoms. 41.
The Estates approbation of the Covenant. 43.
Proclamation to all the fencible perſounes within this Kingdome to be in reddines. 43.
Warrand for borrowing of 40000 pund for outreiking the troupes. 44.
Act againſt Robert Earle of Carnewath. 44.
Desyre of the English Commiſsioners and the Anſwer of the Estates. 44.
Act in favors of John Forrest bowmaker in Ed[r]. 44.
Act in favors of John Schaw of Greinock. 44.
Aug. 22. Commiſsione and Capitulatione for the Horse troups. 45.
Aug. 24. Act anent the desyre of the English Commiſsioners. 46.
Aug. 25. Commiſsion and Capitulation with Johne Lord Sinclair. 47.
Aug. 25. The result of the Treattie with the English Commiſsioners. (Aug. 25. 1643.) 47.
Act in favors of Robert Hepburne Advocat Clerk to the Commiſsioners for common burdingis. 49.
Letter to the officers of the Scots Armie in Ireland. 49.
Approbation of the proceidings of the Commiſsioners for preſerving the Treatie and Peace. 50.
Declaration of the Estates to the Parliament of England. 50.
Act for the Committees of Warr in the shyres. 51.
Act for the Committee of Estates. 57.
Recommendation in favours of Archibald Primrose. Clerk of the Convention. 59.
Earle of Leven appointed Lord Generall. 59.
Prorogation of the Convention. 59.
Modification to Commiſsioners. 59.

. . . . . .

CONVENTIO APUD EDINBURGH.

Sederunt. p. 60. 1644,
Act in favors of the Earle of Lothian. 60. Jan. 3.
Commiſsion for putting out of the horse and foote. 60.
Precept to pay Captane Powers accompt of the wages of his ſchip &c. 61.
Sederunt. 61. Jan. 4.
Act for Excyſe. 61.
Act for citation to the Parliament. 61.
Act for approving of the Marquiſe of Argylls Commiſsion. 61.
Act anent Non Covenanters Estaits. 61.
Act for putting the Kingdome in a posture of Defence. 61.
Deputation to M[r] Alex[r] Foullis to be subcollector of the Loan and Taxt. 62.
Sederunt. 63. Jan. 5.
Sir James Lumiſden and others adjoyned to the Committee of Estaits for the airmie. 63.
Sederunt. 63. Jan. 6.
Act approveing the proceidings of the Committee of Estaites. 63.
Act in favours of the wards of anie that sall die in the publict service. 64.
Remitt to consider the act anent the Colonells of Stirlingſchyre. 64.
Act anent the raiseing of the Seſsion. 64.
Anent the volunteirs troupe. 64.
Anent the custome of armes. 64.
Band to Colonell Alex[r] Hamilton generall of the Artellierie. 65.
Anent the Marques of Argyles troupe. 65.
Act anent the transport of victual. 65.
Act anent presentation of miniſters. 66.
Declaration of the Kingdomes of Scotland and England. 66.
Act in favors of Adam Whyte and Gawin Pitcairne merchants in Glasgow. 68.
Recommendation for uplifting the rents of excommunicat perſones. 69.
Sederunt. 69. Jan. 8.
Warrant to the Lord Generall to goe to the Armie. 69.
Committee to provyde victuall for the Armie. 69.
Act appointing advocats & agent for the State. 69.
Act appointing Colonell James Lindeſay of Belſtane to be governour of Berwick. 69.
Commiſsion to Job Ward to be Colonell. 69.
Sederunt. 69. Jan. 9.
Earle of Callender admitted on the committee of Estates. 69.
Act anent the putting out of the Horſe in fyffe. 69.
The oath of the Officeris of the Armie. 70.
Commiſsion and Instructions to Johne Earle of Loudoun Lord heigh chancellor and others to repair to England. 70.
Act anent Sir Patrick Hepburn of Wauchtons Regiment. 71.

1644, Sederunt. p. 71.
Jan. 11. Anent the Earle of Kinnoulis ladie and children. 71.
Act anent musters. 72.
Reference to the Committee anent the Excyse. 72.
Modification of allowance to the Commiſsioners. 72.
Act for bringeing the Scots armie out of Ireland. 72
Letter to the officers of the armie in Ireland. 73.
Jan. 25. Roll of the Convention. 73.
Jan. 26. Act anent Excyse. 73.
Jan. 27. Committee anent the Excyse. 74.
Act anent the quorum of the Committees. 74.
Precept to Hew Kennedy Proveſt of Air 74.
Act for Chirurgians to the Armie. 74.
Jan. 30. Precept to Hew and Johne Kennedie. 74.
Precept to George Jamesone proveſt of Coupar. 75.
Precept to Robert Gordon merchant in Air. 75.
Act anent the quorum of the Committees. 75.
Recommendation in favour of Sir Frederick Hamilton. 75.
Committee for raiſeing 20000 punds Sterline upon publict or privat ſuretie. 75.
Jan. 31. Act and Ordinance for raising of moneyis be way of Excyse — Grounds of ane Supplication to the Kings Majestie. 75.
Feb. 1. Act for putting the Kingdom in a posture of defence — Officers to repaire to the Armie — Precept to John Leslie of the Myres. 78.
Feb. 2. Precepts to James Boswald merchand in Edinburgh — Act for raiſeing of moneyis for a preſent ſupplee to the armies in England and Ireland — Precept to George Porterfeild merchand in Glaſgow — Precept to David Weemes merchand in Dundie — Precept to Alex^r Brydie merchand in Aberdene Letter to the Lord Generall — Ratification of the Commiſsion and Inſtructions to the Lord Chancelar &c.—Persons adjoyned to the Committee of Estates—Quorum of the Committee at home — Ratification of the Commiſsions to the Committee of Estates —Continuation of the Conventione. 80.
Apr. 10. Roll of the Convention. 83.
Act anent the shyre of Roxburgh — Committee for the present expedition — Anent the Marques of Argylls troupe--Anent the Marques of Huntlie &c. 84.
Apr. 11. Committee anent the Irish affaires — Act anent the Loane and Taxt — Act anent Rutmaisters in Perthshyre — Act for demolisheing the castle of Dumbartan — Committee for a poſture of defence — Committee for anſwering the Commiſsioners at London their Letters anent the grounds of a ſettled peace. 84.
Apr. 12. Commiſsion to Captaine James Jackson — Contract with Captan Jackson — Act for some canon to Captane Jackson — Act for canon in Leith — Act in favors of Andro Drummond — Precepts to Captane Jacksone. 85.
Apr. 14. A paſse to the Earle of Morton to repaire to Orkney. 86.
Apr. 15. Orders to deliver armes &c. to the Earle of Lanerick, Lord Sinclair, and Sir William Cochran — Warrand for Lord Sinclars regiment to marche—Order to Cliddiſdaill concerning Colonell Campbell of Lawers regiment — Warrand for tranſporting ammunition — Order to deliver feild peeces &c. to Colonell Campbell of Lawers — Orders to Harie Drummond Rutmaſter to marche—Baggage horse for Lawers regiment — Act in favors of Alex^r Lord Balcarres — Compryseing against Johne Gordoun of Haddo — Armes to be sent to the northe—Armes to the Vicount of Kenmure. p. 86.
Materialls to be sent to the North — Canon at Monroſe — Orders to Captane Jacksone — Act anent servants — Commiſsion to John Denholme — Orders to .... Michelſone ſurgeon in Glaſgow — Orders to Doctor Mayne — Act concerning Williame Earle of Lanerick — Act in favors of John Slowan and Adam Mitchelſone merchants in Edinburgh — Commiſsions to James Earl of Callander to be Commander in Cheefe and Lieutenant Generall—Commiſsion to Archibald Marques of Argyll to be Commander in Chief in the North — *Commiſsion to Williame Earle of Mariſchall* to be Commander of the horſe in the North — Commiſsion to the Lord Elcho to be Commander of the foott in the North — Committee for the North — Committee for the South — Robert Lord Burley President of the Committee in the North — Earle of Lanerick appointed Colonell of the Sheriffdom of Lanerk — Earles of Kinghorn and Lanerick and the Lord Juſtice Clerk adjoyned to the Committee of Estates — Earl of Glencarne appointed Colonell of the forces of Air and Renfrew — Recommendation for uplifting Non covenanters rents — Ratification of the proceidings of the Committee of Estates — Persons adjoyned to the Committee of warr of Lanerick — Reference concerning the Armie in Ireland — Robert viscount of Kenmure appointed Colonell of the Stuartrie of Kirkcudbright &c. — Committee to goe south — Lord Gordon and others adjoyned to the Committee of Estates — Committee to anſwer the letter from the Commiſsioners at London — Order to the forces of the shyres on this ſyde of Forth to repair to Douglas — Continuation of the Convention. 88.
Roll of the Convention. 93.
Committee for money — Committee for proceſsis — Committee for the Magazen — Precept for the armie — Muskets to Ireland. 94.
Marques of Argyles Commiſsion prorogated — Act anent Colonel Claverin — Act for shyre of Roxburgh — Committee of Roxburgh — Magazen. 94.
Quartering of sojours — Act in favours of Colonel William Stuart — Committee for the Parliament House — Order to Sir John Veitch to intromett with the Earl of Traquairs rents. 94.
Order of the Parliament house — Earl of Hartfell and Laird of Amisfield — Earl of Callender — Propositions of Peace. 95.
1644, Apr. 15.
Apr. 16.
Maii 25.
Maii 30.
Maii 31.
Jun. 3.

PARLIAMENTUM APUD EDINBURGH,

IV DIE JUNII, A.D. M;DC,XLIV

1644, Jun. 4. Domini Commiſſionarii preſentes in Parliamento. p. 95.

1. Act anent the election of John Earle of Lauderdale to be Preſident in this Parliament. 96.

Jun. 7. 2. * Act of approbation and exoneration to the Lord Balmerino, anent his charge of being preſident in the late Parliament. 97.

3. * Act anent the initiall words to bee prefixed to to every Act done in this Seſſion of Parliament. 97.

Jun. 11. 4. * Commiſſion to the Earle of Callender, to be Lieutenant Generall. 97.

5. * Act of approbation and exoneration to Sir William Scot of Harden, and Sir Thomas Ker of Cavers. 97.

6. * Act continuing *the ſitting of the Seſſion* to the firſt of November 1644. 97.

Jun. 12. 7. * Act of approbation and exoneration, in favours of the Marqueſſe of Argyle. 97.

8. * Act in favours of the Earle of Roxburgh. 97.

Jun. 13. 9. * Act of approbation and exoneration of the Lord Burghly, and remanent of the Committee at Aberdene. 97.

10. * Ordinance in favours of the Lord Scottiſtarbet, anent the Regent of humanity in Saint Leonards Colledge. 97.

Jun. 14. 11. Act anent theſe who are or ſhall be found Fugitives and Run-awayes from their Companies and Colours. 98.

12. * Ratification in favours of the Lord Scottiſtarbet, anent the Regent of humanity in Saint Leonards Colledge. 98.

Jun. 18. 13. * Act in favours of the Town of Edinburgh diſcharging the market at Brighouse-Know. 98.

Jun. 19. 14. * Commiſſion for these that goes along as a Committee, with the Earle of Calenders Armie. 99.

15. * Act of approbation and exoneration to Captain Wallace. 99.

Jun. 21. 16. * Commiſſion to Sir James Ramſay to be Generall Major to the Horſe, with the Declaration and Inſtruction thereintill. 99.

17. * Act and Commiſſion Earle of Caſsills contra Shireff of Galloway. 99.

18. * Ordinance in favours of the Miniſters that hes beene plundered, and wants their by-gane ſtipends. 99.

Jun. 22. Letter from the Committee with the Army to the Parliament. 99.

Jun. 25. 19. Act for putting forth of Horſe and Foot, both for by-gones, and in time-coming, and anent thoſe who are deficient thereintill. 100.

Jun. 28. Inſtructions for the Commiſſioners who are to goe to England. 101.

Reſults of the Committee appointed be the Parliament for reviſing and conſidering the Propoſitions of Peace, reported and approvin be the Estates of Parliament. p. 102. 1644, Jun. 28.

The Committee appointed for filling up the blanks in the Articles and Propoſitions of Peace. 104.

20. Act againſt theſe who takes up Armes, and holds houſes againſt the Kingdome and Eſtates of the Countrey. 104. Jun. 29.

21. * Act anent the putting of ane Gariſon in the caſtle of Stirling. 105. Jul. 10.

22. * Act in favours of Thomas Cunninghame anent the place of Conſervatorie. 105.

23. * Act againſt theſe that took the Magiſtrates of Aberdene. 105.

Letter from the Committee with the Army to the Parliament. 105. Jul. 12.

24. * Act of approbation and exoneration to the Earle of Calender, Lord Lieutenant Generall, and to the Committee that went with him. 106. Jul. 13.

25. Act anent the Ratification of the calling of the Convention, Ratification of the League and Covenant, Articles of Treatie betwixt the Kingdomes of Scotland and England, and remanent Acts of the Convention of Eſtates, and Committee thereof. 106. Jul. 15.

26. Commiſſion for theſe that goes to England concerning the Propoſitions of the Articles for a Treatie of Peace. 115. Jul. 16.

27. * Decreet of forfeiture againſt the Laird of Haddo, and ordaining his lands, goods, and eſtate, to be applyed for the uſe of the publick. 116.

28. * Decreet of forfeiture againſt Capitane John Logie. 116.

29. * Commiſſion to the Marqueſſe of Argyle. 116.

30. * Diſcharge by the Parliament of Scotland to the Parliament of England of 30000. pounds ſterling. 116.

31. Act in favouris of Williame erle of Lothiane. 116. Jul. 17.

32. Act for putting the Acts againſt Runaways and Deficients to execution. 117. Jul. 18.

33. Act in favours of the free Royall Burrowes anent their relief, and payment of the ſummes advanced by them to the factors in Campheir, for the arms and ammunition ſent to this countrey in the late troubles. 118.

34. Commiſſion for the Northerne buſineſſe. 119. Jul. 19.

35. Act and Ratification in favours of the natives, anent the coale. 121. Jul. 20.

36. Declaration and Act anent the Duke of Hamiltoun his impriſonment. 123. Jul. 22.

37. * Act in favours of the Earle of Lanerk againſt Sir Sames Galloway, and Sir Robert Spottiſwode. 123.

38. * Act in favours of the old Colledge of Saint Andrews, for ane Regent of humanity. 123.

1644, Jul. 23.
39. Act anent the Ratification of the Articles of Treatie concerning the ordering of the warre in Ireland. p. 123.
40. Commiſſion for the Theſaurarie, to John Earle of Lindeſay. 126.
41. Act diſcharging execution of captions for debt upon the Lords Day, or upon Faſts, &c. Commanding warnings, &c. to bee read after the bleſsing, and extending the Acts made againſt profanation of the Sabbath. 127.
42. Act anent divorce for Adultery. 127.
43. Act inhibiting markets upon Munday and Saturday. 127.
44. Act diſcharging patronages belonging to particular Miniſters. 128.
45. Act againſt keepers of Taverns, &c. and ſellers of drink on the Lords Day. 128.
46. Act declaring the books of Miniſters ſurviving their wives, not to fall in their wives executorie. 128.
47. Act declaring vacant ſtipends ſhould be imployed upon pious uſes. 128.
48. Ratification of the Act of Convention concerning preſentations to Kirkes of his Majeſties Patronage. 129.
49. Act in favours of Miniſters for their ſtipends of the Kirk for pecuniall pains, and in favours of Univerſities, Hoſpitals, and Schooles, anent Malignants rents. 129.
50. Act anent the Univerſities of S[t] Andrews, Glaſgow, Aberdene, and Edinburgh. 129.
51. * Reference to the Committee of Eſtates, anent the rents of excommunicate perſons. 130.
52. * Reference to the Committee of Eſtates, concerning allowance to Miniſters ſent to the armies in England, and for their out-reiking thereto. 130.
53. * Ratification of the gift of 500 pounds ſterling out of his Majeſties revenewes to the Commiſſioners of the Kirk. 130.
54. * Act and Reference to the Exchequer in favours of the Juſtice-Deputes. 130.
55. * Commiſſion for viſitation of the Univerſitie of Saint Andrews. 130.
56. * Reference anent ane conſtant courſe for apprehending and tryall of Witches. 130.
Jul. 24. 57. Act renewing the Commiſsion for plantation of Kirks, and valuation of teinds. 130.
58. Act of the Eſtates of Parliament, appointing the Committees of Warre in the ſeverall Shires and Diviſions of the Kingdome. 131.
59. Act renewing the Commiſsion for the Common Burdens. 136.
60. * Act in favours of William Thomſon Commiſſar Depute, granting approbation and exoneration of his Compts. 137.
Jul. 25. 61. Act for putting of the Kingdome in a poſture of warre. 137.
62. * Commiſſion to the Lord Kircudbright, to be Stuart of the Stuartrie thereof. 137.
63. Commiſſion to the Committee of Eſtates of Parliament. p. 138. 1644, Jul. 26.
64. Act anent the chooſing of Commiſsioners out of the members of Parliament. 140.
65. * Decreet of forfeiture againſt the Earles of Crawfurd and Forth, and Lord Ythan. 140.
66. * Ratification in favours of the Earle of Lindſay, anent his right and patent of Earle of Crawfurd. 140.
Letter from the Earl of Leven to the Committee of Estaits. 141.
67. Act concerning the Declaration at Oxford, and the Rebels in the North and South. 141. Jul. 27.
68. Act extending former Acts anent deſignation of Manſes and Gleibs to Miniſters. 142.
69. Commiſſion for the Iriſh affaires. 142.
70. Act in favours of the vaſſals, creditours, and cautioners of forfeited perſons. 143.
71. Act for granting of diſcharges to the debtors of forfeited perſons. 143.
72. Act in favours of Burrows, anent the reparation of ruinous houſes within Burghs. 144.
73. * Diſſolution of the Earldom of Orkney and Ratification of the wodſet right thereof granted by his Majeſty to the Earle of Morton under the reverſion of 30000 pund Sterlinge. 144.
74. * Declaration in favours of the town of Edinburgh thereanent. 144.
75. * Ratification in favours of Patrick Maule of Panmure of his infeftment of Arbrothe. 144.
76. Act in favours of Johne Lord Balmerino. 144.
77. * Act of exoneration and approbation to the Committee, appointed for trying of the Incendiaries and Plotters, and to the Kings Advocate, Procurators of Eſtate, and Clerk of that Committee. 145.
78. * Act in favours of the free royall Burrows, anent their ſea loſſes. 145.
79. * Act of approbation and exoneration to the Committee, appointed for reviſing of the Regiſters, with ane warrant for delivery of the keys of the Charter-houſe in the Caſtle, to the Clerk Regiſter. 145.
Letter from the Committee with the Army to the Committee of Eſtates. 145.
Supplication of Sir Alex[r] Gibſon of Durie knycht Clerk Regiſter remitted to the Committee of Eſtates. 146.
80. Ratification and Commiſſion for the Exciſe, anent the collecting thereof. 146. Jul. 29.
81. Act renewing the Commiſsion for conſerving of the Peace betuix both Kingdomes. 155.
82. Act in favours of lamed Souldiers. 155.
83. Act anent the payment and relief of Loan and Taxt. 155.
84. Act anent Decreits before Lion King at Armes, and Letters thereupon. 156.
85. Act declaring ſummes due by heritable bands to be arreſtable where no infeftment hath followed. 156.

1644, Jul. 29.
86. Act Salvo Jure Cujuſlibet. p. 156.
87. Act continuing the Parliament to the firſt Tueſday of January nixt 1645 years, and declaring the Parliament current to that day. 156.
Inſtructions added be the Eſtates of Perliament to the former instructions alreadie given to the Commiſsioners that goes to England. 157.
88. * Reference to the Committee of Eſtates anent the Act of Parliament for putting of the Countrey in ane poſture of warre. 157.
89. * Ratification in favours of Thomas Cunninghame of his Commiſſions. 157.
90. * Commiſſion for the Exchequer. 157.
91. * Reference to the Committee of Eſtates for nomination of ane delegate Committee for the proceſſes. 157.
92. * Commiſſion for trying of the Lairds of Geicht, Maynes, and Torrarie. 157.
93. * Approbation to the Procurators and Agent for the State. 157.
94. * Decreet of forfeiture againſt William Maxwell of Midelkeltoun. 157.
95. * Commiſſion of Juſticiary in favors of William Earl of Morton for Orknay and Zetland. 157.
96. * Act in favours of the inhabitants in Caithnes. 157.
97. * Ratification in favours of Doctour Colvill. 158.
98. * Ratification in favours of the Lord Melvill. 158.
* Proteſtation for the fewars of Lethem there-againſt. 158.
99. * Ratification in favours of the Laird of Craigmillar. 158.
100. * Ratification in favours of John earl of Lindſay, now Earl of Crawfurd. 158.
101. * Ratification to John Campbel of Ardchattan. 158.
102. * Ratification to the Earle of Calendar. 158.
103. * Ratification of Generall Major Bailies penſion. 158.
104. * Ratification to the Kings Printer. 158.
105. * Ratification in favours of the Town of Edinburgh. 158.
106. Ratificatioun in favoris of the Toune of Edingurgh of the mortificatioun grantit to thame off the biſchoprikis of Orkney and Edinburgh and deanrie of Edinburgh. 158.
* Proteſtation James Gibſon againſt the Town of Edinburghs Ratification of the biſhoprick of Orkney. 160.
107. * Ratification in favours of the Town of Kirkaldie. 160.
108. * Ratification to the Earle of Rothes of his penſion. 160.
109. * Ratification to Colonel Alex. Hammiltoun, Generall of the Artillery. 160.
110. * Ratification in favours of George Strang. 160.
111. * Ratification in favours of the Lord Theſaurer Depute. p. 160 1644, Jul. 29.
112. * Ratification in favours of James Levingſtoun. 160.
113. * Ratification to Sir John Ruthven. 160.
114. * Ratification to the Earle of Hume. 160.
115. * Ratification to the Laird of Glennegies. 160.
116. * Ratification to Sir James Hope. 160.
117. * Ratification to Sir John Douglas. 160.
118. * Ratification to the Marques of Argyle. 160.
119. * Ratification to the Lord Chancellour. 160.
120. * Ratification to the Lord Levingſtoun. 160.
121. * Ratification to Sir Archbald Johnſtoun. 160.
122. * Ratification to Sir Archbald Campbel. 160.
123. * Ratification to Bryce Semple of Cathcart. 160.
124. * Ratification to Alex. Maxwell Maiſter. 160.
125. * Ratification to the Lord Yeſter. 160.
126. * Ratification to the Lord Elibank. 160.
127. * Ratification to Maſter Roger Mowat Advocate. 160.

PARLIAMENTUM APUD EDINBURGH,

VII DIE JANUARII, A.D. M,DC,XLV.

1. Act ordaining John Earle of Lauderdale to continue Preſident during this Parliament. p. 161. 1645, Jan. 7.
2. Act anent the election of John Earle of Crawfurd and Lindeſay to be Preſident of this Parliament, in place of the umquhile Earl of Lauderdale. 161. Jan. 20.
3. Act anent the Deficients and Run-aways. 161. Jan. 24.
4. Act anent the Exciſe, and collecting thereof. 162. Jan. 31.
5. Commiſſion for the Exchequer. 164. Feb. 1.
6. Act anent the Inbringing of the Loan and Taxt. 165.
7. Act in favouris of Dame Margaret Grahame. 166.
8. Act diſcharging the printing or re-printing of ſome books. 167. Feb. 12.
9. Act anent the printing of the Warning from the Generall Aſſembly. 167. Feb. 13.
10. Act anent the ſelling of the lands of forfaulted perſons. 167. Feb. 20.
11. Act anent the allowing of quarters where the quarter-maſters and officers tickets are not given. 169. Feb. 22.
12. Act anent the maintenance of the Armie, and moneys to be raiſed for that effect. 170. Feb. 27.
13. Act for relief of the Commiſsioners of Shires and Burghs, anent theſe moneys which they preſently advance for maintenance of the Army. 173. Feb. 28.
14. Act of aſſurance to theſe that ſhall buy the forfaulted lands. 173. Mar. 1.
15. Act in favours of the manufactories, and of the maſters actual workers, ſervants, and prentiſes thereintill. 174. Mar. 3.

1645, Mar. 6. 16. Act anent the putting of the Kingdom in a poſture of war, for defence. p. 174.

Mar. 8. 17. Commiſſion to the Committee of Eſtates. 176.

18. Commiſſion for inbringing and diſtributing of moneys, and for regulating of the publike accompts and burdens of the Kingdome. 179.

19. Anent defeaſance for the burnt and waſted lands. 181.

20. Act Salvo Jure Cujuſlibet. 181.

21. Act of continuation of the Parliament to the ſecond Tueſday of July next. 182.

22. * Act appointing the Preſident of Parliament to bee Preſident, and ſupernumerary in all Committees. 182.

23. * Commiſſion to the Committee anent borrowing of money and malignants rents. 182.

24. * Commiſſion for diſcuſsing the relevance, and receiving of probation of the ſummonds and dittayes againſt delinquents. 182.

25. * Act of approbation to the delegat Committee in the firſt Seſsion of this Parliament. 182.

26. * Commiſſion for aſsiſting Lieutenant Generall Baillie. 182.

27. * Decreet of forfaulter againſt the Earle of Montroſe and his aſsiſtants, for their invaſion in the South. 182.

28. * Decreet of forfaulter againſt Montroſe and his aſsiſtants, for the invaſion in the North. 182.

29. * Act anent the delinquents at Newcaſtle. 182.

30. * Act for tranſplanting of the Kirk of Kirkmabrek. 182.

31. * Approbation to the Sheriffe of Teviotdail. 182.

32. * Approbation to the Marques of Argyle. 182.

33. * Act anent the Sheriffe and Sheriffe Clerk of Air. 182.

34. * Act anent the erection of a new Kirk for the landward parochine of Saint Andrews. 182.

35. * Commiſſion for the Lady Alexander, and remanent creditors of the Earle of Stirling. 182.

36. * Act of approbation to the Lord Burghlie, and remanent Committee for the north. 182.

37. * Decreet of forefaulter againſt the Earle of Carnwath. 182.

38. * Commiſſion to Sir John Hurrey. 182.

39. * Commiſſion to Lievetenant Generall Baillie. 182.

40. * Commiſſion in favours of Robert Keith wryter. 182.

41. * Warrand to the Lord Humbie for collection of the monethly maintenance. 183.

42. * Ratification of James Stuarts pardon anent the killing of the Lord Kilpont. 183.

43. * Ratification of Lieutenant Generall Baillies Commiſsion. 183.

44. * Act of approbation of the Lord Humbies accompts. 183.

45. * Ratification of the Act of Counſel, for apprehending and detaining of Coll. Mackgilleſpick, and his ſons. 183.

46. * Ratification to Sir James Lumſden of his Commiſsion to be governour of Newcaſtle. p. 183. 1645, Mar. 8.

47. * Act in favours of Sir William Dick. 183.

48. * Act in favours of the Marques of Argyle. 183.

49. * Decreet of forfaulter againſt George Marques of Huntlie. 183.

50. Decreit and ordinance of Parliament anent Johne Erle of Traquair. 183.

51. * Act anent the 31000 ſterling due to the Scots army in England. 187.

52. * Commiſſion for the Univerſity of Aberdene. 187.

53. * Act in favours of the Committee of warre of the Sheriffedome of Berwick. 187.

54. * Act anent the anſwere of the Eſtates to the Remonſtrance of the Commiſsioners of the Generall Aſſembly. 187.

55. * Approbation to the proqutors and agent for the Eſtates. 187.

56. * Act in favours of Generall Major David Leſlie to be Lievetenant Generall of the Horſe. 187.

57. * Act anent the remitting of Bills and Supplications. 187.

58. * Act anent the erection of the Kirk of Carfearn. 187.

59. Anſwer of Parliament to the paperis given in be the Engliſh Commiſsionaris. 187.

60. * Ratification in favours of the principall and ſecond miniſters at Paiſley. 188.

61. * Ratification in favours of the Earle of Leaven. 188.

62. * Ratification in favours of David Mackulloch of Guthers. 188.

63. * Ratification in favours of the Lord Kirkcudbright. 188.

64. * Ratification in favours of the Laird of Barns. 188.

65. * Ratification in favours of Sir Andro Fletcher of Innerpeffer. 188.

66. * Two Ratifications in favours of Sir William Nizbet of Deane. 188.

67. * Ratifications in favours of Mr Robert Bruce advocate. 188.

68. * Ratification in favours of John Halyburtoun. 188.

69. * Ratification in favours of Alexander Maxwell of Dechmont. 188.

70. * Ratification in favours of the burgh of Elgin. 188.

71. * Two Ratifications in favours of Mr James Durhame of Pitkerro. 188.

72. * Ratification in favors of the Earle of Caſsils. 189.

73. * Ratification in favours of George Home ſear of Wedirburn. 189.

74. * Ratification in favours of Alexander Stuart. 189.

* Proteſtation thereagainſt. 189.

1645, Mar. 8.
75. * Ratification in favors of Daniel Carmichael. p. 189.
76. * Ratification in favors of Sr John Vaitch of Dawick. 189.
77. * Ratification in favours of Maxwell of Orchzeardtoun. 189.
78. * Ratification in favours of Florence Jamiſon. 189.
* Proteſtation thereagainſt. 189.
79. * Ratification in favours of Patrick Vaitch. 189.
80. * Ratification in favours of Mr David Drummond. 189.
81. * Ratification in favours of the Marques of Argyle. 189.
82. * Ratification in favours of John Forbes of Leſly. 189.
Supplicatioun be George Maxwell of Monſcheis. 189.

. . . . . .

PARLIAMENTUM APUD STIRLING,

VIII DIE JULII, A.D. M,DC,XLV.

1645, Jul. 9.
1. Act anent the out-putting of forces for the preſent neceſsitie. p. 190.
2. Act for inbringing and prorogating the Commiſſions to the Committee of Eſtates, and Committee for inbringing and diſtributing of moneys. 191.
3. Act reſtraining any to go out of the Countrey without licence. 191.
Jul. 11.
4. Act continuing the Parliament to the 24. of July inſtant, to be holden at Pearth. 192.
5. * Act continuing the Earle of Crawford Preſident of Parliament. 192.
6. * Act of approbation to Lieutenant Generall Baillie. 192.
7. * Commiſſion to the Committee with the army at Perth. 192.
8. * Act in favours of the Marques of Argyle. 192.
9. * Act in favours of the Earle of Marſhell. 192.
10. * Act in favours of theſe who have ſuffered loſſes for the publike. 192.
11. * Act in favours of the town of Dundie. 192.
12. * Act anent the northern buſineſſe. 192.
13. * Act of approbation to Generall Major Hurrey. 192.

. . . . . .

PARLIAMENTUM APUD PEARTH,

XXIV DIE JULII, A.D. M,DC,XLV.

1645, Jul. 29.
1. Act anent theſe who goes away from the armie. p. 193.
Aug. 2.
2. Act of approbation of the Directorie, and for recording, publiſhing, and practiſing of the ſame, conforme to the printed copie. 193.
3. Act for puniſhing and fining of theſe who have not keeped the randezvous. p. 193. 1645, Aug. 2.
4. Act for managing of the warre. 194. Aug. 5.
5. Act anent the attendance of Officers. 194.
6. Act for the new recrute and diviſion thereof. 194.
7. Act for retention of the three moneths maintenance, for payment of the quarterings. 195.
8. Act againſt Swearing, Drinking, and mocking of Pietie. 195. Aug. 7.
9. Act for up-lifting of pecuniall pains to be beſtowed upon pious uſes. 195.
10. Act prorogating the Act of Maintenance. 196.
11. Act anent the preſent recrutes. 196.
12. Act anent the prorogation of the Committee of Eſtates, Committee for regulating and inbringing of Moneys, Exchequer, and Exciſe. 196.
13. Act anent the crying up of the Moneys. 197.
14. Act againſt the in goers to the Rebels. 197.
15. Act Salvo Jure Cujuſlibet. 198.
16. Act of continuation of the Parliament to the laſt Wedneſday of November 1645. 198.
17. * Act of approbation to the Earle of Lowdoun Chancellour. 198.
18. * Act of approbation to Lieutenant General Baillie. 198.
19. * Act in favours of the Shirefdome of Lanerk. 198.
20. * Commiſſion for treating with the Engliſh Commiſsioners. 198.
21. * Commiſſion to the Earle Marſhel for uplifting malignants rents. 198.
22. * Commiſſion to the Earle of Findlater for uplifting malignants rents. 198.
23. * Commiſſion to the Vicount of Frendraught, and Laird of Boyn for uplifting malignants rents. 198.
24. * Commiſſion to the Lord Fraſer for uplifting malignants rents. 198.
25. * Commiſſion to the Earle of Erroll for uplifting malignants rents. 198.
26. * Ratification of the Act of the Committee, in favours of the houſe of the Lawers. 198.
27. * Act in favours of the pariſhioners of Saint Andrews. 198.
28. * Ratification in favours of the Earl of Crawford. 198.
29. * Ratification in favours of the Laird of Balthyok. 198.
30. * Ratification in favours of John Malcolm. 198.

. . . . . .

PARLIAMENTUM APUD S. ANDROIS,

XXVI DIE NOVEMBRIS, A.D. M,DC,XLV.

Domini Commiſsionarii preſentes in Parliamento, p. 199. 1645, Nov. 26.
1. * Commiſſion for the Proceſſe. 200. Dec. 1.

1645, Dec. 1. 2. * Commiſſion for trying the Earle of Tullibardan and his friends, and tenants their loſſes. p. 200.
3. * Commiſſion to Sir Robert Drummond. 200.
4. * Commiſſion to the Proveſt and Baillies of Tayn. 200.
Dec. 18. 5. Act anent the training and arming of the fourth man. 200.
6. Act in favours of the Officers of the Regiments, againſt the reſetters of runawayes. 200.
7. Act anent the forces to be imployed in gariſons and in the fields for the publike ſervice, and anent the inbringing of moneys. 200.
8. Commiſſioun to the Committie for the loiſſes. 201.
9. * Tuo Commiſſions anent the priſoners in Jedburgh and Selkirk. 201.
10. * Act in favours of the Marques of Argyle for an high-land regiment. 202.
11. * Ordinance for putting garriſons in certain houſes for the high-land regiment. 202.
12. * Act in favours of the Lords of Seſsion. 202.
Dec. 26. 13. Act for publiſhing and printing of the Declaration of the Commiſsioners of the Generall Aſſemblie. 202.
1646, Jan. 2. 14. * Anſwer of parliament to the remonſtrance of the Kirk. 202.
15. * Act of exoneration and approbation to the Lord Humby of his accompts. 202.
Jan. 6. 16. Ordinance of parliament concerneing the committie for the loiſſes. 202.
Jan. 8. 17. Act anent the claſſes and degrees of delinquents not to be proceſſed to death and rewles for ſeverall fines conforme thairto. 203.
18. * Commiſſion to the Lord Generall and others, anent New-wark of Trent. 205.
19. * Act in favours of the Town of Dundy. 205.
20. * Act in favours of Archibald Hay. 205.
Jan. 15. 21. Act anent the fining of appeirand heires. 205.
Jan. 16. 22. * Decreets of foreſaltour againſt Sir Robert Spotiſwood, Nathaniel Gordon, William Murray, and Mr Andrew Guthrie. 205.
23. * Commiſsion for trying Beſsie Cannan. 205.
24. * Commiſſion for viſiting the Univerſities of Aberdeene. 205.
25. * Decreet Earle of Lanerk contra the Lairds of Lamyngtoun and Lag. 205.
26. * Act in favours of the Lords Montgomery, Levingſtoun, and Sinclare. 205.
27. * Act and ratification in favours of Mr James Baird advocat. 205.
28. * Approbation in favours of Lieutenant Generall Baillie. 205.
29. * Commiſſion for trying of Robert Forreſter. 205.
30. * Act anent the Commiſſar Clerk of Wigtoun. 205.
31. * Act in favours of the Univerſity of St Androis. 205.
32. * Overtures for the Kirk, and Ordinance of Parliament thereanent. 205.
33. * Act anent the Sheriffe of Berwick. p. 205.
1646, Jan. 16. 34. * Commiſſion for tryall of the loſſes of the Sheriffedome of Aberdene. 205.
35. Act in favours of the coale and ſalt maſters. 206.
Jan. 22. 36. Act diſcharging Officers and Souldiers to exact moneys, they getting free quarters. 206.
37. Act anent the monethly maintenance for the ſpace of eight moneths. 206.
Jan. 27. 38. Act anent the quarterings, and payment thereof. 208.
39. Act anent perſonall and reall execution againſt delinquents. 209.
Jan. 31. 40. Act anent the Committees of warre in the ſeverall Shires. 210.
Feb. 2. 41. Act diſcharging the printing of any thing concerning Religion or the Kirk without licence. 215.
42. Act prorogating the Commiſsion for the Exchequer. 215.
43. Act againſt keeping faires upon Monday and Saterday. 215.
44. Act anent *non-covenanting* patrones. 215.
45. Act for founding Schools in every Pariſh. 216.
46. Act diſcharging lyke-wakes. 216.
47. Act diſcharging the printing of bookes, chronicles, or libels without licence. 216.
48. Act in favores of James Steuart baillie of Edinburgh and James Hammiltoun of Boiges. 217.
Feb. 3. 49. Commiſſion anent the loſſes. 218.
50. Commiſſion for the moneys, excife, and proceſſe againſt malignants and delinquents. 219.
51. Commiſſion to the Committee of Eſtates. 222.
52. Act anent the charges allowed to theſe upon the Committees of Eſtate, and for the moneys. 224.
53. Inſtructions from the Parliament of Scotland to their Commiſſioneris at London. 224.
54. * Tuo Commiſſions in favours of *Generall Major* Midletoun. 228.
55. * Act anent the advancement of ane moneths maintenance by the ſhires and burghs. 228.
56. * Commiſſion to Generall Major Hopburne. 228.
57. * Overtures concerning the Generall Commiſſar. 228.
58. * Decreet Maſter John Williamſon, and Archbald Moodie. 228.
59. * Commiſſion for ane new valuation of the Shire of Aberdene. 228.
60. * Ordinance anent the overturs for the burrows. 228.
61. * Act in favours of the Univerſity of St Androis and anent the creditors of Sir Robert Spotiſwood. 228.
Feb. 4. 62. Ordinance anent the quartering of Officers and Souldiers. 228.
63. Act anent the recruting of the armies. 229.
64. Act anent the forefaulting of the lands and eſtate of theſe who refuſe to pay their fines. 229.
65. Act anent the delyverie of the perſones of ſuch as are fyned to the regimentis and officeres thairof to quhome there fynes are aſſigned. 229.

1646, Feb. 4.
66. Act Salvo Jure Cujuſlibet. p. 230.
67. Act of continuation of the Parliament to the firſt Tueſday of November 1646. 230.
68. * Inſtructions to the Marques of Argyle and others for Ireland. 230.
69. * Act of exoneration to the proquturs and agent for the Eſtate. 230.
70. * Ratification to the Earle of Crawford. 230.
71. * Ratification to the Lord Forreſter. 230.
72. * Ratification to Mr Robert Bruce miniſter at Aberdour. 230.
73. * Ratification to Hugh Lindſay. 230.
74. * Ratification to Patrick Lentron. 230.
75. * Ratification to John Dickſon of Hairtrie. 230.
76. * Ratification to the Lord Pitſligo. 230.
77. * Ratification to James Allan. 230.
78. * Ratification of the Act and Proclamation anent Manufactories. 230.
79. * Ratification in favours of the Lady Naper. 230.

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PARLIAMENTUM APUD EDINBURGH,

III DIE NOVEMBRIS, A.D. M,DC,XLVI.

1646, Nov. 7.
1. * Act in favours of the Lord Wariſtoun. p. 231.
2. * Act in favours of the Lord Regiſter, Lea, Tofts, and Laird of Bogie. 231.
3. * Act of approbation to the Marques of Argyle, and remanent Commiſſioners at London. 231.
Nov. 11. 4. Commiſſion for the Committee for loiſſes. 231.
Nov. 12. 5. * Act in favours of the Lairds of Lugtoun, Dairſie, and others. 231.
Nov. 14. 6. * Prorogation of the Committees of War in the Shires during the ſitting of the Parliament. 231.
* Letter from the Parliament to the King desyreing a settlement of religion and a happy and well grounded peace in all his Majesties dominions according to the oath and Covenant. 231.
Nov. 19. 7. Act anent quarterings, and payment of officers and ſouldiers in their quarterings. 231.
Nov. 20. 8. * Act in favours of the pariſhioners of Muckart and Dolor. 233.
Nov. 24. 9. * Act for relief of the Shyres of Aberdeene and Bamff. 233.
Nov. 27. 10. Act of approbation to the Committee of Eſtates, anent the taking off of the rebels. 233.
Nov. 28. 11. * Commiſſion for proceſſe, money, and exciſe. 234.
12. * Act in favours of the Earle of Findlatar. 234.
Dec. 1. 13. * Ordinance concerning James Bell and Coline Campbell. 234.
Dec. 2. 14. * Act in favours of Lieutenant Generall David Leſly. 234.
Dec. 3. * Proteſtation Lord Spynie. 234.
Dec. 4. 15. * Act in favours of Maſter James Hay. 234.
Dec. 8. 16. * Act James Maxwell of Sprinkell. 234.
Dec. 9. 17. * Act of approbation and exoneration to the Lord Humbie. 234.
18. Act anent officers, troupers, and ſouldiers of new levies. p. 234. 1646, Dec. 9.
Dec. 10. 19. Act anent liferenters, that they pay publick dues, and bear publick burdens. 234.
20. * Ratification in favours of the Earle of Crawfoord-Lindſey. 235.
21. * Act Alexander Maxwell of Conhaith. 235.
Dec. 15. 22. * Act anent the ſhipping in the weſt coaſt. 235.
Dec. 24. 23. * Inſtructions to the Commiſſioners that went to Newcaſtle. 235.
24. * Inſtructions to the Commiſſioners at London. 235.
25. * Act anent the quorum of the Commiſſioners at London. 235.
Dec. 25. 26. * Warrand of Parliament to the Lord Generall. 235.
27. * Act in favours of Maſter Robert Gordoun of Straloch and his ſon. 235.
Dec. 26. 28. * Act in favours of the Earle of Traquair. 235.
29. * Inſtructions to the Commiſſioners at Newcaſtle. 235.
30. * Act anent the election of the Magiſtrates of Glaſgow. 236.
Dec. 29. 31. * Act in favours of the Lord Balcarras. 236.
Dec. 30. 32. * Act Hector Macklene. 236.
Dec. 31. 33. * Act Lord Balcarras. 236.
34. * Commiſſion for theſe that goes to Newcaſtle. 236.
35. * Declaration of Parliament in favours of the Lord Humbie. 236.
1647, Jan. 1. 36. Act anent the allowing of quarters. 236.
37. * Act in favours of the Marques of Argyle and remanent heritors of that ſhire. 236.
38. * Act in favours of the Marques of Argyle, Doctor Sharp, Sir William Dick, and others. 236.
39. * Act Lady Gairlees. 236.
40. * Warrand to the Lord Humbie for telling and receiving of 200000 l. Sterling. 236.
41. * Ordinance of Parliament concerning the town of Edinburghs Commiſsioners. 236.
42. * Act in favours of the Lord Humbie for his ſuper-expences 236.
43. * Act in favours of John Johnſtoun. 236.
44. * Commiſſion to Lord Lovat. 236.
45. * Act in favours of the Earle of Louthian. 236.
46. * Act of approbation to Major Generall Middletoun. 236.
Jan. 2. 47. Act anent recording of loſſes. 236.
48. * Act in favours of the Earle of Annandale. 237.
49. * Act in favours of Kenneth Mackenzie and others. 237.
50. * Act in favours of theſe to whom Generall Major Middletoun hath given paſſes. 237.
Jan. 5. 51. * Act concerning fines and borrowed moneys. 237.
52. * Act in favours of the Town of Innernes. 237.
53. * Act in favours of Colonell Lodovick Leſly. 237.
54. * Act Earle of Caſſels and Balmerino. 237.

1647, Jan. 8. 55. * Act Martine Mackbeane. p. 237.
56. * Act Earle of Callendar. 237.
Jan. 12. 57. Act anent thoſe that are, or ſhall be reſtored againſt their forfaltours. 237.
Jan. 14. 58. Ratification of the Commiſsion for changing Waird Haldings holden by the Kings Majeſtie. 237.
59. Act anent the payment of the dutie for the light of the Maye. 238.
60. * Act in favours of Lieutenant Generall King, reſcinding his forefaltour. 238.
61. * Ratification to the Earle of Glencarne, of his gift to be Juſtice-Generall. 239.
Jan. 15. 62. * Act Colonell Walter Scott. 239.
63. * Commiſſion for tryall of Eliz. Gordoun. 239.
64. * Act Lieutenant Generall Bailie. 239.
Jan. 16. 65. Ratification of the Commiſsion for changing of the Waird Haldings holden of the Prince his Highnes. 239.
66. Declaration of the Kingdome of Scotland, concerning the Kings Majeſties perſon. 239.
Deſires of the Kingdome of Scotland. 240.
A Letter from the Parliament of Scotland to the Parliament of England. 241.
Jan. 19. 67. * Act Earle of Crawfoord Lindſey. 241.
68. * Act Major Generall Midletoun. 241.
69. * Act Francis Chivers. 241.
Jan. 21. 70. * Act Earle of Findlater. 241.
71. * Act Town of Breechin. 241.
Jan. 22. 72. * Act Lord Drummond. 241.
73. * Act in favours of George Bailie of Jervefwood. 241.
Jan. 23. 74. * Ordinance anent the anſwering of the Kings Majeſties letter, direct to the Earle of Crawfoord Theſaurer. 241.
Jan. 25. 75. * Roll of theſe perſons to whom Major Generall Middletoun hes granted paſſes and aſſurances. 241.
Jan. 26. 76. Act anent fining of appeirand heires. 241.
77. Act anent theſe who hes gotten paſſe and aſſurance, and hes ſince joyned with the rebels. 242.
Jan. 29. 78. Act anent the modelling of the Forces kept up for the ſervice of the Kingdome. 242.
79. * Commiſſion to the Earle of Leaven to be Lord Generall. 244.
80. * Inſtructions to the Lord Generall. 244.
Jan. 30. 81. * Warrand for trying of Duke Hammiltoun his loſſes. 244.
82. * Warrand for trying of the loſſes of the Sheriffdom of Lanerk. 244.
83. * Warrand to the Lord Regiſter for receiving of Cautioners from the Officers of the Armie. 245.
84. * Act Hector Banandyne of Kaimes. 245.
85. * Act Marques of Dowglas. 245.
Feb. 3. 86. * Act Lord Seatoun and Laird of Roſſaith. 245.
87. * Act Sir John Seatoun. 245
88. * Act Laird of Blindlie. 245.
89. * Act Laird of Cromlix. 245.
90. * Act in favours of the Earle of Niddiſdale, reſtoring him againſt his fathers forfaltour. 245.
* Proteſtation Earle of Balcleuch there-againſt. p. 245.
1647, Feb. 3.
Letter from Major General Middletone to the Parliament. 245.
91. * Act for the Officers of the Earle of Caſſils Regiment. 245.
Feb. 4.
92. * Act Lord Herreis reſcinding his forfaltour. 245.
93. * Act Lieutenant Generall David Leſlie. 245.
Feb. 5.
94. * Act anent the 500l. Sterling advanced by the Town of Edinburgh. 245.
95. * Act anent the disbanding of the Regiments of Horſe. 245.
96. * Act anent the disbanding of the Regiments of Foot. 245.
97. * Order of Parliament for making up of the Troups and Foot Regiments of the new modelled Forces. 245.
98. * Act anent the election of the Magiſtrates of Aberdene. 246.
Feb. 6.
99. * Act and Ratification Maſter Robert Dalgleiſh. 246.
Feb. 9.
100. *Act for advancing ane moneths maintenance for disbanding the Army.* 246.
Feb. 10.
101. Anſwer of the Parliament to the Remonſtrance of the Church. 247.
Feb. 11.
102. * Act Vicount of Airdrie. 248.
103. * Two Acts anent the marching and proviſion of the Earle of Louthian and Lord Sinclars Regiments. 248.
104. * Act Earle of Leaven contra Lord Naper. 248.
105. * Act and Ratification in favours of Sir John Gibſone of Alderſtoun Knight. 249.
Feb. 12.
106. * Act for tranſporting of the Kirk of Dunſcore. 249.
Feb. 13.
107. * Act appointing Sir John Weemes of Bogie to be Generall Commiſſar. 249.
Feb. 16.
108. Ratification of the Act anent *the diſtribution* of the 5000l. *Sterling, to the* Lame Souldiers, and to the Widows, and Orphans of the deceaſt Souldiers. 249.
Feb. 17.
* Proteſtation Earle of Calendar. 250.
Feb. 19.
109. * Act in favours of Lieutenant Generall King Lord Ythan. 250.
110. Act anent the nine moneths maintenance for the Armie, and retention of ane and a half of the hundred for the anualrent. 250.
Feb. 20.
111. * Ratification to Maſter John Cant. 253.
112. * Warrand to the Town of Edinburgh anent Captain Denneſtoun. 253.
Feb. 23.
113. * Act Laird of Libertoun. 253.
114. * Act Laird of Fintrie. 253.
115. * Act Laird of Arkinglas. 253.
116. * Act Earle of Eglingtoun. 253.
Feb. 24.
117. * Act anent the eſtabliſhment and pay of the Armie. 253.
Feb. 25.
118. Act againſt run-awayes, and their reſetters. 256.
119. * Act and Proteſtation Earle of Erroll and Town of Edinburgh, anent the deliverie of Captain Dennestoun to the Lord Generall 256.
120. * Act Laird of Ardkinglas Regiment. 257.
Feb. 26.

1647, Feb. 26. 121. * Act and Proteſtation Earle of Erroll and Town of Edinburgh concerning John Simſon. p. 257.

Feb. 27. 122. Act anent the inbringing of the firſt two moneths maintenance. 257.

Mar. 2. 123. * Act Lairds of Glenurquhie elder and younger. 257.

124. * Act Lord Humbie and the General Commiſſar. 257.

Mar. 3. 125. * Act Lieutenant Colonell William Hammiltoun. 257.

126. * Act in favours of the Earle of Mar, Laird of Polmais and others. 257.

127. * Act Allan Dunlap anent 7000 bolls meall. 257.

128. * Act in favours of the Scots captives in Argiers. 257.

129. * Act for relief of theſe, bound to Sir William Dick for 200000 merks. 258.

130. * Act Laird of Lawers. 258.

131. * Act in favours of the bairnes of the Laird of Haddo, reſtoring them again their fathers forefaultour. 258.

Mar. 4. 132. Act anent theſe excepted from getting Pardon or Conditions. 258.

133. * Act for putting ſome priſoners to libertie. 258.

134. * Act Town of Dumbar. 258.

Mar. 5. 135. * Act Town of Inuernes. 258.

136. * Warrand for ane Troup to the Generall Commiſſar. 258.

137. * Act in favours of the Generall Commiſſar. 258.

138. * Act Town of Dumbartan. 258.

139. * Act for deliverie of the 5000 l. Sterling to the Generall Commiſſar. 258.

140. * Act anent garriſoning of houſes. 258.

141. * Act anent the train of Artillerie. 258.

142. * Act Laird Ballindalloch. 258.

143. * Act relict and bairnes of umquhile Alexander Pearſon. 258.

Mar. 6. 144. * Inſtructions to Lieutenant Generall David Leſlie. 258.

145. * Act Sir John Brown and others. 258.

146. * Act Lord Balcarras. 258.

147. * Act Sheriffdome of Wigtoun. 258.

Mar. 8. 148. * Act for eſtabliſhment of the train of Artillerie. 258.

149. * Order anent directing of Letters from the Parliament to their Commiſſioners. 259.

Mar. 9. 150. * Commiſſion Lieutenant Generall David Leſlie. 259.

151. * Act ratifying the maintenance of Perth Shire. 259.

152. * Commiſſion to the Generall Commiſſar. 259.

Mar. 10. 153. Act and Commiſsion anent the Exciſe. 259.

154. Act ſuſpending the execution of the bands given by the Commiſsioners for the 5000 l. Sterling. 264.

155 * Act anent the train of Artillerie. 264.

Mar. 11. 156. Act renewing the Commiſsion to the Commiſſioners for England. 264.

Mar. 12. 157. * Act Thomas Cunninghame. 264.

158. * Act Lord Allerdes. p. 264. 1647,

159. * Act Earle of Lauderdaill. 264. Mar. 12.

160. * Act erecting the Kirk of Glencroce. 264.

161. * Act in favours of the Lord Regiſter. 264.

162. * Act Lord Elcho. 264.

163. * Act erecting the new Kirk of Glenluce. 264.

164. * Act erecting the Weſt Kirk of Calder. 264.

165. * Act George Jameſon. 264.

166. * Act Lord Balcarras, diſponing to him the lands and eſtate of Gorthie. 264.

167. Act for tranſporting the Kirks of Logie-montros and Peart. 264.

168. * Act John and Jeane Bonars. 265. Mar. 13.

169. * Act Towne of Dornoch. 265.

170. * Ratification Earle Marſhall. 265.

171. * Anſwer of Parliament to the Papers given in by the Engliſh Commiſſioners. 265.

172. * Ratification Laird of Langtoun and Robert Cunninghame. 265.

173. * Ratification Earle of Wigtown. 265.

174. * Act for revaluation of the Shire of Berwick. 265.

175. * Act Captaine William Elphingſtoun to be Generall Adjutant to the Armie. 265.

176. * Act for rectifying the valuation of the Shire of Inuernes. 265.

177. * Act anent ammunition and proviſion to the Army. 265.

178. Act anent the taking of the oaths of delinquents, for tryall of their delinquencie. 266. Mar. 15.

179. Act againſt Runawayes and their reſetters. 266.

180. * Act Laird of Glaſwall. 266. Mar. 16.

181. * Act Francis Forbes. 266.

182. * Act Laird Grangehill. 266.

183. * Two Acts Laird of Kilraok. 266.

184. * Act Earle of Tullibardine. 266.

185. * Act Laird of Duffus. 267.

186. * Act Earle of Dunfermling and Counteſſe thereof. 267.

187. * Act Laird of Letham. 267.

188. * Act Town of Culane. 267.

189. * Act George Lockhart and Mr Archibald Fleeming. 267.

190. * Act Laird Ballindalloch. 267.

191. * Act Sir James Fraſer. 267.

192. * Act Maſter Robert Farquhair. 267. Mar. 17.

193. * Act of approbation and exoneration to the Lord Humbie. 267.

194. * Reference Lord Humbie. 267.

195. * Act Earle of Buchane. 267.

196. * Act in favours of the Earle of Airlie, reſcinding his forefaultor. 267.

197. * Act Maſter of Bamff. 267.

198. * Act Earle of Hartfell. 267.

199. * Act Lieutenant Colonell William Oiſburne. 267.

200. * Act James Maxwell of Innerweik. 267.

201. * Act Laird of Balnamoone. 267.

202. * Act Laird Cragivar to be Sheriff of Aberdeen. 267.

1647, Mar. 17.
203. *Act Lieutenant Colonell William Dick. p. 267.
204. * Act Earle of Queensberrie. 267.
205. * Act Laird of Harden younger to be Sheriff of Selkirk. 267.
206. * Act Earle Marſhall. 267.
207. * Act and diſcharge Earles of Erroll and Kinnowle. 267.
208. * Ordinance anent the date and extracting of Generall Ruthvens act of reſtoration againſt his forfaultour. 267.
Mar. 18. 209. Act againſt excommunicate perſons. 267.
210. Act diſcharging the obſervation of ſuperſtitious dayes. 268.
211. * Act Maſter James Robertoune. 268.
212. * Act Lord Fraſer contra Laird of Drum. 268.
213. * Act Generall of Artillerie. 268.
214. * Act Earle of Erroll. 268.
215. * Anſwers of Parliament to the overtures given in to Parliament by the Commiſſioners of the Generall Aſſemblie. 268.
Mar. 19. 216. * Inſtructions from the Parliament to their Commiſſioners at London. 268.
Mar. 20. 217 Act and Commiſsion to the Committee of Estates. 268.
218. * Qualifications of the power granted by the Parliament anent the pardoning of ſuch as are in the rebellion, and anent ſuch as are not to receive conditions. 271.
219. * Act in favours of Generall Ruthven, reſtoring him againſt his forefaultour. 271.
Mar. 22. 220. Act liberating the good ſubjects from the purſuit and actions of the rebels, civill or criminall. 271.
221. Act that no reparation of loſſes be given to theſe who hes been complyers with the rebels. 271.
222. * Act in favours of the Lord Wariſtoun. 271.
223. * Act Generall Major Monro, and Laird of Kinhilt. 271.
224. * Act in favours of the Earle of Mortoun, Lord Burghlie, and others. 271.
225. * Act in favours of Sir William Dick. 271.
226. * Warrand for fraughting of ſhips and barkes for carying of ammunition. 271.
227. * Act in favours of the Duke of Hammiltoun. 271.
228. * Act anent the furniſhing and ſending of ammunition to the Armie, and pay of the traine of Artillerie, and incident charges thereof. 271.
Mar. 23. 229. * Act Lord Humbie upon the production of the articles of Treaty betwixt the Kingdomes of Scotland and England. 272.
* Proteſtation Lord Balmerino and other lords of erections againſt the Petition given in by the vaſſals of Kirk-lands. 272.
230. * Reference concerning the Earle of Dumfermlings rights to the Abbacy of Dumfermling, with the defences and anſwers given in, for and againſt the ſame, to the Judge ordinar. 272.
Mar. 24. 231. Act renewing the Commiſsion for plantation of Kirks, and valuation of Teinds. p. 272.
232. Act anent the vaſſals of Kirk lands. p. 273.
1647, Mar. 24.
233. Act that none guilty of the Crimes of the firſt Claſſe, bee admitted on the Committees of Warre of the Shires. 274.
234. * Act of approbation in favours of the Earle of Leaven Lord Generall. 274.
235. * Act for out-reik of two Ships and a Pinace to guard the coaſt. 274.
* Proteſtation Marques of Argyle for the Earle of Louthian. 274.
236. * Act in favours of Generall Major Midletoune, Maſter Robert Farquhair, and ſome others. 274.
237. * Act in favours of the Lord Balcarras, and Sir John Brown. 274.
238. * Declaration in favours of the Generall Commiſſar. 274.
* Proteſtation for Edward Bruce of Carnock. 274.
239. Act renewing the Commiſsion of Exchequer. Mar. 25. 274.
240. * Act anent the Sheriffe of Dumbartan. 274.
241. * Reference anent the Sheriffe of Eaſt-Louthian. 274.
242. * Ratification George Lockhart. 274.
243. * Act L. Fulwood to be Sheriffe principall of Dumbartan while Michaelmaſſe next. 274.
244. Act anent quarterings. 274. Mar. 26.
245. Act for clearing former Acts concerning quarterings. 275.
246. Act annulling bands given to James Grahame, Alex^r Mackdonald, and their adherents. 275.
247. Act concerning the education of children under Popiſh Parents or Tutors. 276.
248. Act anent the trying of burnt or waſted lands. 276.
249. Act anent the Committees of War in the ſeverall Shires. 277.
250. * Act Marqueſſe of Argyle and Earle of Southesk. 280.
251. * Act creditors and cautioners of the late Earle of Montroſe. 280.
252. * Act for preſſing of Ships and Horſes, for carrying of Ammunition and proviſion to the Armie. 281.
253. * Act Earle of Lauderdaill. 281.
254. * Act James Gibſone. 281.
255. * Act Elizabeth Cochran. 281.
256. * Act Maſter John Hay. 281.
257. * Act Town of Stirling. 281.
258. * Act Francis Brodie. 281.
259. * Act Laird of Cragivar. 281.
260. * Act for a contribution to repair the Bridge of Bothwell. 281.
261. * Act in favours of Sir James Hope, for mending the hie-wayes. 281.
262. * Act Duncane and John Forbeſes. 281.
263. * Act Laird of Innes. 281.
264. * Act for revaluation of Aberdeene Shire. 281.
265. * Act Lord Naper. 281.
266. * Act Laird of Achinbreck. 281.

1647, Mar. 26.
267. * Act Maſter Patrick Pitcarne, anent the Commiſſariot of Dunkell. p. 281.
268. * Act Laird of Lawers. 281.
269. * Act Towns of Aberdene, Inuernes, Elgine, Nairne, Culane, Bamff, Brechine, Forres, and Dornoch. 281.
270. * Act Laird of Weyme. 281.
271. * Act Martine Menzeis and James Campbell. 281.
272. * Act Coline Campbell of Aberurchill. 281.
273. * Act Durhame of Grange and others. 281.
274. * Act Lord Humbie anent his ſuper-expences. 281.
275. * Act Lord Lovat and his friends. 281.
276. * Act Mr George Sharp Miniſter for his Stipend. 281.
277. * Act John Sutherland. 281.
278. * Act Earle of Murray. 281.
279. * Act Laird of Panmure. 281.
280. * Act Parochiners of Kirriemure and Tannadyce. 282.
281. * Act in favours of *John Simſone*. 282.
282. * Act Generall Major Robert Lumiſdene. 282.
283. * Act in favours of the ſilver and gold Lace weavers and workers. 282.
284. * Reference in favours of the keepers of the Magazines. 282.
285. * Act Earle of Southesk, and Lord Lowre. 282.
286. * Act in favours of the free Royall Burrowes anent their loſſes. 282.
287. * Act William Home reſcinding his forfaulture. 282.
288. * Act James Stuart and James Hammiltoun. 282.
289. * Act Earle of Eglintoun. 282.
290. * Act Vicount of Dudhope. 282.
291. * Act Earle of Crawfurd-Lindeſay. 282.
292. * Act town of Brechine for ſome Arms. 282.
293. * Act Alexander Campbell of Pennymore. 282.
294. * Act in favours of the creditors of Weſtnisbet. 282.
295. * Act John Hay of Knokcawdie. 282.
296. * Act Mr John Gellie Miniſter. 282.
297. * Act Earle of Sutherland. 282.
298. * Act town of Dundie. 282.
299. * Act William Baillie. 282.
300. * Act John Robertſone. 282.
301. * Act Laird of Duffus and James Sutherland. 282.
302. * Act Thomas and William Dumbarris. 282.
303. * Act in favours of Thomas White and others contra Sir David Ros. 282.
304. * Act anent Commonties. 282.
305. * Act of approbation Sir James Lumiſdene. 282.
306. * Act of approbation Sir James Ramſay. 282.
307. * Act of approbation Lieutenant Generall Bailie. 282.
308. * Act Beſsie Gevane. 282.
309. * Act Earle of Findlater. 282.
310. * Act Vicount of Arbuthnot. 283.
311. * Act Laird of Fedrett. p. 283.
312. * Act Earle of Carnwath. 283.
313. * Act Robert Dumbar of Burgie. 283.
314. * Act Lord Cowper. 283.
315. * Act James Johnſtoun. 283.
316. * Act Alexander Chiſholme. 283.
317. * Act in favours of the Heritors of the nether part of the Parochin of Bothwell. 283.
318. * Three References concerning the Town of Edinburgh, and in their favours. 283.
319. * Act in favours of the Marqueſſe of Argyle, and Laird of Calder. 283.
* Proteſtations againſt the ſame. 283.
320. Act anent the election of ane Preſident of Parliament for ilk Seſsion of Parliament. 283.
321. Act diſcharging Letters of foure formes. 283.
322. Act annulling bands taken by Officers of caſſeired Regiments. 283.
323. Act Salvo jure cujuſlibet. 284.
324. Act appointing the firſt meeting of the ſecond Trienniall Parliament to be upon the firſt Thurſday of March 1648. 284.
325. * Act Laird of Innerquharitie. 285.
326. * Act Laird of Capringtoun. 285.
327. * Act Laird of Grangehill. 285.
328. * Act Colonell Home. 285.
329. * Act Sir James Fraſer, and John Hay. 285.
330. * Act Lieutenant Generall David Leſlie, and Major Middletoun. 285.
331. * Act in favours of the Laird and Lady Edzell. 285.
332. * Act Mr Roger Mowat. 285.
333. * Act Town of Aberdene. 285.
334. * Act Town of Bamf. 285.
335. * Act Earle of Mortoun, and Town of Edinburgh. 285.
336. * Act Earle Kinghorn and his tennants. 285.
337. * Act Lord Cardroſſe. 285.
338. * Act Sir Walter Murray. 285.
339. * Act for rectifying of the valuations of the Sheriffdome of Pebles. 285.
340. * Act John Campbel of Domdorne. 285.
341. * Act Lord Elibank. 285.
342. * Reference Earle of Eglintoun. 285.
343. * Act Lord Balmayne. 285.
344. * Act creditours of James Grahame anent the wood of Kincardine. 285.
345. * Act Mr William Davidſon. 285.
346. * Act anent the Laird of Lawers regiment. 285.
347. * Act Earle of Dumfermling. 285.
348. * Act Marqueſſe of Argyle ratifying his former Acts. 285.
349. * Act Lord Fraſer, contra Laird of Drum. 285.
350. * Act Mr William Dumbar. 285.
351. * Act James Hay of Murifauld. 285.
352. * Act Earle of Sutherland. 286.
* Proteſtation Earle of Sutherland anent his place and precedencie. 286.
353. * Act Jacob Burret. 286.
354. * Act Earle of Traquair. 286.

1647, Mar. 26.
Mar. 27.

1647, Mar. 27.

355. * Act Laird of Clakmannan. p. 286.
356. * Act Duke of Lennox, Proteſtation Earle of Crawfurd-Lindeſay in the contrair. 286.
357. * Act Martin Black. 286.
358. * Act Lord Yeſter. 286.
359. * Act Mr John Cheiſlie. 286.
360. * Act Parochineris of Muckart and Dolor. 286.
361. * Act Sir Robert Douglas. 286.
362. * Act of approbation to the Committee of Eſtates. 286.
363. * Act of approbation to the Committees of Proceſſe and Moneyes. 286.
364. * Act Generall of Artillerie. 286.
365. * Act anent the Committee of Proceſſe and Moneyes for the North. 286.
366. * Warrand to the cautioners of JamesGrahame for citation of his creditours to produce their bonds. 286.
367. * Ratification in favours of the Earle of Crawfurd-Lindeſay of his rights of the Baronie of Auchterſtruther. 286.
368. * Ratification Laird of Innerpeffer of his infeftments of the Baronie of Saltoun. 286.
369. * Ratification in favours of the Earle of Callender of his right of the Baronie of Donypace and others. 286.
370. * Ratification in favours of the Earle of Hadingtoun. 286.
371. Commiſſion to Thomas Forbes of Watertoun. 286.
372. * Ratification in favours of the Laird of Rires. 287.
373. * Ratification in favours of Sir Patrick Hammiltoun of Little Preſtoun. 287.
374. * Ratificatioun in favours of Sir James Lumeſden of Innergellie. 287.
375. * Ratification in favours of James Blair younger, Merchant Burges of Irwing. 287.
376. * Ratification in favours of the Laird of Brodie of his infeftment of the lands of Brodie and others. 287.
377. * Ratification in favours of Maſter William Sempil, Proteſtation there-againſt. 287.
378. * Ratification in favours of the Earle of Callender of the office of Sheriff principall of Sterling ſhire. 287.
379. * Ratification in favours of Sir Michael Balfoure of Deanmylne. 287.
380. * Ratification in favours of the Earle of Dumfermling. 287.
381. * Ratification in favours of James Mowat Writer. 287.
382 * Ratification in favours of Sir Adam Hepburne of Humbie, and Thomas Hepburne his ſonne of their infeftment of the lands of Humbie and Overhowden, with a diſſolution thereof from the Abbacie of Kelſo. 288.
383. * Ratification in favours of the Lord Wariſton his Majeſties Advocate. 288.
384. * Ratification in favours of the Earle of Crawfurd-Lindeſay of the right granted by the King to Maſter Levingſtoun of the Biſhopricks, and by Maſter Levingſtoun to the Earle. p. 288.
385. * Ratification in favours of Robert Hammiltoun. 288.
386. * Ratification in favours of the Earle of Murray. 288.
387. * Ratification in favours of the Laird of Lugtoun. 288.
388. * Ratifieation in favours of the Laird of Cragivar. 288.
389. * Ratification in favours of Alexander Brodie of Letham. 288.
390. * Ratification in favours of the Laird of Birkinboig. 288.
391. * Ratification in favours of the Town of Kinghorne. 288.
392. * Ratification in favours of Sir William Cochran of Cowdoun. 288.
393. * Ratification in favours of Mr Robert Farquher. 288.
394. * Two Ratifications in favours of William Law. 288.
395. * Ratification in favours of Captain Thomas Lindeſay, and John Lindeſay his ſon. 288.
396. * Ratification in favours of the Earle of Lanerk. 288.
397. * Ratification in favours of Maſter Robert Mayne. 288.
398. * Ratification in favours of the Laird of Langtoun of his infeftments of the Baronie of Langtoun. 288.
399. * Ratification of the gift granted by the Kings Majeſtie in favours of umquhile Sir Thomas Hope of 1080 l. ſterling, as Commiſſioner to the Generall Aſſembly. 288.
400. * Ratification in favours of Sir John Gibſone of Alderſtoun of ane ſignator of Taxt Waird. 288.
401. * Ratification in favours of Maſter Thomas Henderſon. 288.
402. * Ratification in favours of the Laird of Brodie of his Decreet of the Committee of Eſtates. 288.
403. * Ratification in favours of the Lord Lea of his rights and infeftments of the Baronie of Lochrenie. 288.
404. * Ratification in favours of Sir Archibald Primeroſe of his office and gift of penſion. 288.
405. * Ratification in favours of the Earle of Glencarne. 288.
406. * Commiſſion for viſiting the Univerſity of Aberdene. 288.

1647, Mar. 27.

PARLIAMENTUM APUD EDINBURGH,

II DIE MARTII, A.D. M,DC,XLVIII.

1648, Mar. 2. 1. Act anent the election of John Earl of Lowdoun Lord Chancellour, to be Prefident of this Seſsion of Parliament. 289.

Mar. 3. 2. Ordinance of Parliament anent the election of Commiſsioners for Shires. 289.

* Proteſtation Earl of Murray for precedeneie. 289.

Mar. 4. * Proteſtation Earl of Eglintoun, contra the Earl of Glencairn, with the Earl of Glencairns anſwer there-againſt. 289.

Mar. 7. 3. * Act in favours of the Earl of Nithiſdail. 289.

Mar. 9. 4. * Act of approbation to the Earl of Lowdon Lord Chancellor and others. 289.

5. * Act of approbation to Sir John Cheiſlie. 289.

Mar. 10. Anſwer to the Engliſh Commiſſioners Deſire. 289.

Mar. 11. 6. * Act anent the Exciſe. 290.

Mar. 15. Letter from the Engliſh Commiſſioners to the Earl of Loudoun Chancellor. 290.

Mar. 17. Commiſſion to a Committee for preventing dangers that may come to this Kingdom by the garreſoning of Berwick or Carliſle by the malignants ſectaries or others. 290.

Mar. 20. 7. * Ordinance in favours of the Heritors of Kirklands. 290.

Mar. 27. Anſweris of Parliament to the deſyres of the Commiſsioneris of the Generall Aſsemblie repreſented by thame to the Parliament. 290.

8. * Act in favours of Colonell James Weymes. 291.

Mar. 29. * Anſwer of Parliament to the repreſentation of the Commiſſion of the Generall Aſſembly of their fence on the Parliaments anſwer to their eight deſires. 291.

Apr. 1. * Anſwer to the English Commiſsioners Paper read and remitted to a Committee that are to conſider of this and other Papers given in by the English Commiſsioners. 292.

Apr. 4. 9. Act anent allowance of quarters. 292.

Apr. 5. 10. Act for ſuppreſſing of the Iriſhes Ilanders, and their aſſociates. 292.

Apr. 8. Anſwer to the English Commiſsioners. 292.

Apr. 11. 11. Act anent the Reſolutions of Parliament concerning the breaches of the Covenant, and Treaties betwixt the Kingdoms of Scotland and England, and demands for reparation thereof. 292.

Apr. 12. 12. * Act in favours of the Generall Commiſſar. 294.

Anſwer of the Parliament to the papers given in by the English Commiſsioners. 294.

Apr. 13. 13. * Act in favours of Thomas Cunninghame and his compartners. 295.

14. * Act in favours of Doctor John Sharp. 295.

Apr. 15. 15. Act concerning the Town of Edinburgh, Leith, and the Suburbs, to be free of locall quarterings. 295.

16. * Act concerning the deſires of the Commiſsioners of the Generall Aſſembly. 295.

1648, Apr. 18. 17. Act for putting of the Kingdom in ane Poſture of War for Defence, and conſtituting the Committees of War for the ſeverall Shires. p. 295.

Apr. 19. 18. A Declaration of the Parliament of Scotland, to all his Majeſties good Subjects of this Kingdom, concerning their Reſolutions for Religion, King, and Kingdoms, in purſuance of the ends of the Covenant. 305.

Apr. 21 19. * Act in favours of the umquhile Laird of Haddo his tennents. 309.

Apr. 26. A Letter from the Parliament of Scotland to the Parliament of England. 309.

Apr. 27. 20. Deſires of the Parliament of Scotland to the Honourable Houſes of the Parliament of England. 309.

21. * Act in favours of George Logane. 310.

Apr. 29. 22. * Act Maſter James Urquhart contra the Laird of Gallowſheills. 310.

23. * Act anent Ships to guard the coaſt. 310.

Maii 2. Anſwer of the Parliament of Scotland to the Commiſsioners Papers of the 19 and 29 of April, 1648. concerning the perſons demanded by the Commiſsioners. 310.

24. * Decreit Town of Perth contra Andro Reid. 310.

25. * Act in favours of the Officers of the Laird of Lawers Regiment. 310.

Maii 4. 26. Act anent the leavies of Horſe and Foot to be put out by the Shires and Burghs, and the lift of the Colonells, with their numbers. 310.

Maii 5. 27. * Act Earl of Wintoun. 314.

Maii 8. 28. * Act Colonell Hary Barklay. 314.

Maii 9. 29. Act prorogating the maintenance fra the firſt of March 1648. to the firſt of Auguſt 1648. 315.

30. Act in favours of the outreikers of Horſe and Foot in this levie. 317.

31. *Act in favours of Maſter John Middletoun. 317.

32. * Act in favours of the Officers of the Laird of Lawers Regiment. 317.

33. * Act for the Officers in the Blair of Atholl. 317.

34. * Act Laird of Greinnok. 317.

35. * Act Earl of Findlater. 317.

36. * Act Sir William Dick for ane three year tak of the Exciſe of Wines. 317.

37. * Act Generall Major Middletoun. 317.

38. * Act anent the Generall Commiſſar his accompts. 317.

39. * Act John Kennedy anent his accompts. 317.

Maii 10. 40. Act appoynting the Proveſt, Baillies, and Councell of Edinburgh to be ane Committee of Warre within themſelves. 317.

41. * Act for ane half moneths maintenance to the Army in Ireland. 318.

42. * Act exeeming the Town of Edinburgh from the levie. 318.

43. * Act Dame Helen Elphingſtoun. 318.

44. * Ordinance anent the Generall Officers. 318.

45. * Warrand to the Committees of War of the Shires for reſtraining the flitting of ſervants. 318.

46. * Act Laird of Lawers. 318.

1648, Maii 10. The Anſwer of the Parliament of Scotland to the Commiſſioners Papers of the 2 and 9 of May, concerning Barwick and Carliſle. p. 318.

Maii 11. 47. Commiſſion to the Committee of Eſtates for the intervall and receſs of Parliament. 319.

48. Act prorogating the Exciſe, and appointing the Commiſsioners and Theſaurer of the ſame. 320.

49. Act repealing the Commiſsion granted to the Commiſſioners ſent to England. 321.

A Letter ſent from the Parliament of Scotland to the ſeverall Presbyteries within the Kingdom. 321.

50. Act adjourning the Parliament till the firſt day of June 1648. 322.

51. * Act anent the Commiſſioners of Burrowes. 322.

52. * Commiſſion to James Duke of Hammiltoun &c. to be Generall of the wholl Forces Foot and Horſes by Sea and Land, within and without the Kingdom. 322.

53. * Commiſſion to the Earl of Callander, to be Lieutenant Generall of the whole Forces. 322.

54. * Commiſſion to David Leſlie to be Lieutenant Generall of the whole Horſes. 322.

55. * Commiſſion to John Middletoun to be Generall Major to the Horſes. 322.

56. * Commiſſion to James Howburn to be Generall Major to the Foot. 322.

57. * Commiſſion to Alexander Hammiltoun to be Generall of the Artillery. 326.

58. * Commiſſion to Sir John Weymes to be Generall Commiſſar. 322.

59. * Commiſſion Robert Innes to be Generall Quarter-maſter. 322.

60. Act in favouris of Jonet Dumbar. 322.

61. * Act Maſter Robert Farquher. 322.

62. * Reference and act Maſter Gilbert Stewart. 322.

63. * Commiſſion for burnt and waſted lands in Aberdeneſhire. 322.

64. * Act Earl of Eglintoun. 322.

65. * Reference and act Sir James Stewart and James Hammiltoun. 322.

66. * Act Marqueſſe of Argyle, Earl of Eglintoun, and Maſter Robert Barklay. 323.

67. * Act anent Maſter Andro Cant of Colmieſtoun. 323.

68. * Commiſſion for burnt and waſted lands in Nairnſhire. 323.

69. * Commiſſion for burnt and waſted lands in the Shire of Elgine and Forres. 323.

70. * Commiſſion for burnt and waſted lands in Bamfſhire. 323.

71. * Ratification Earl of Callander. 323.

72. * Ratification Sir Alexander Levingſtoun and his heires. 323.

73. * Ratification of the Town of Glaſgowes gift of mortification. 323.

74. * Ratification Angus Macpherſane. 323.

75. * Ratification Malcolme and James Macpherſanes. 323.

76. * Ratification in favours of the Miniſters of Air, Alloway, and ſome others. 323.

77. * Act and Ratification in favours of the Town of Paiſley. p. 323. 1648, Maii 11.

78. * Ratification in favours of the Town of Queensferrie. 323.

79. * Ratification Hector Douglas of Muldarg. 323.

80. * Ratification to the Parſon of Reſtalrig. 323.

81. * Ratification Earl of Crawfurd and Lindſay, and Lord Parbroth his ſon. 323.

* Proteſtation Duke of Hammiltoun againſt the Town of Glaſgowes ratification. 323.

* Proteſtation Town of Ranfrew againſt the Town of Paiſleyes ratification. 323.

82. * Addition to the Committee of War of the Shire of Roxburgh. 323.

83. * Act of approbation in favours of the Earl of Levin. 323.

84. * Commiſſion Captain Andro Hay to be Lieutenant to the Generall Quartermaſter. 323.

85. * Reference concerning Bills and Supplications. 323.

86. * Warrand to the Magiſtrats of Edinburgh for executing John Henry. 323. Jun. 1.

87. * Act and proteſtation anent the Committee of War of Linlithgowſhire. 323. Jun. 2.

88. * Ordinance of Parliament in favours of thoſe that proteſted againſt the ſupplication of the Committee of War of Fyff. 323.

89. * Anent the Lord Cochrane his going to Ireland. 323.

90. * Anent the keeping of the Caſtle of Striviling by the Earle of Callander. 323. Jun. 3.

91. * Act Sir Charles Erskeen for keeping of the Caſtle of Dumbartan. 323.

92. Act anent the Oath to be tane by the Committees of War of the ſeverall Shires. 324. Jun. 6.

Act anent the Committee of Warre of Mid Lowthiane. 324.

93. * Reference Sir Charles Erskeen. 325.

The Anſwers of the Parliament of Scotland to the Papers after mentioned, preſented to them from the Engliſh Commiſſioners. 325. Jun. 7.

94. * Act concerning the Committee of War of Eaſtlowthean. 325.

95. * Act anent the Colledge of Juſtice, and their Colonell. 326.

96. * Reference Laird of Kilrawik. 326.

97. * Act in favours of the creditors of Margaret and Jean Baillies. 326.

98. * Reference Sir Lawchlane Macclean of Tawach. 326.

99. Act and Ordinance concerning the garriſons within the Kingdom, proviſion of the forces thereof, and adding two moneths maintenance to the former five. 326. Jun. 8.

100. * Act anent the Shire of Roxburgh. 327.

101. * Act of approbation Lieutenant Generall David Leſlie. 327.

102. * Addition to the Committee of War of Eaſtlowthean. 327.

1648, Jun. 8. 103. * Commiſſion for burnt and waſted lands in Inuernesſhire. p. 327.
104. * Act in favours of the creditors of the Laird of Weſtnisbit. 327.
Jun. 9. 105. Act and Warrand for raiſing of Troops. 327.
106. Commiſſion to the Committee of Eſtates. 327.
107. * Act of approbation to Colonell Walter Scot. 330.
Jun. 10. 108. Addition of Commiſſioners for Barons and Burrows to the Commiſsion for plantation of Kirks. 330.
109. Act ordaining all Miniſters to exhort their people to obedience to the lawes of the Kingdom: And aſſuring theſe Miniſters of their ſtipends during their lifetimes. 331.
110. Act ordaining the haill Members of Parliament, Noblemen, Burgeſſes, and all other Subjects and Inhabitants of the Kingdom, to ſubſcrive this Act for defence of the lawfulnes of this Parliament, and obedience to the Acts thereof. 331.
111. Act in favours of theſe who gets their ward-holding changed by the King, that their other ſuperiours get not marriage. 331.
112. Act and Declaration of Parliament, in anſwer to the ſupplications from Synods and Presbyteries. 332.
113. Act and Declaration of Parliament in anſwer to the Petitions preſented to them from ſome Committees of War of Shires. 333.
114. Act anent deficients and fugitives, who are deſigned to go out in the preſent levy, and runs away from their Pariſhes, Burghs and Shires where they are deſigned. 333.
115. Act Salvo jure cujuſlibet. 334.
116. Act anent the continuing of the Parliament till the firſt Thurſday of March 1650. 334.
117. * Act anent the Magiſtrates and Town of Glaſgow. 334.
118. * Act anent the Clerkſhip of Exciſe. 334.
119. * Act in favours of the Magiſtrates and Councell of the Burgh of Perth. 334.
120. * Ratification Sir Lodovick Gordoun. 334.
* Proteſtation Earl of Crawfurd and Lindſay there againſt. 334.
121. * Ratification anent the disjoyning of the Kirk of Ugſtoun from Saint-Andrews. 334.
122. * Ratification Maſter James and John Bairds, of their gift to be Commiſſars of Edinburgh. 334.
123. * Ratification and act Sir Hary Gib. 334.
124. * Ratification Earl of Roxburgh. 334.
125. * Ratification Earl of Hadingtoun. 334.
126. * Ratification Sir John Mackenzie. 334.
127. * Ratification M' Thomas Mackenzie. 334.
128. * Ratification Earl of Carnwath. 334.
129. * Act erecting the Kirk of Morvingſyde. 334.
130. * Ratification Earl of Lawderdaill. 334.
131. * Act Sir David Ogilvie. 334.
132. * Commiſſioun John Middletoun to be Lieutenant Generall to the Horſes. p. 334. 1648, Jun. 10.
133. * Commiſſion William Baillie of Lethem, to be Lieutenant Generall to the Foot. 334.
134. * Reference George Kinnaird. 334.
135. * Ratification Maſter Hary Maule and Captain Mayne. 334.
136. * Ratification of the Acts of the Committee for the intervall of Parliament from the 11. of May, to the firſt of June 1648. 334.

PARLIAMENTUM APUD EDINBURGH,

IV DIE JANUARII, A.D. M,DC,XLIX.

1. Act anent the election of the Earle of Loudoun Lord Chancellour, to be Preſident of this Seſsion of Parliament. 335. 1649, Jan. 4.
2. Act for a Solemn Faſt and Humiliation to be keeped for all the members of this Parliament, in relation to publick ſins and breaches of Covenant, and for their renewing the League and Covenant and engagement to the duties therein contained. 335. Jan. 5.
3. * Ratification of the Act of the Committee of Eſtates anent the Exciſe and prorogation thereof. 335.
4. * Prorogation of the Committees of Warre in the ſeverall Shires. 335.
5. Act in favouris of Johne Dickſone of Hartrie anent the Recordes of Parliament. 336.
6. Commiſſioun to the Committee for Diſpatches and Publict affaires. 336.
7. Commiſſioun for Billis and Ratificatiounes. 336.
Letter from the Commiſſionaris at London to the Committee of Eſtates. 337.
Votes of the Houſe of Commons. 338.
* The paper called the agreement of the people. 338.
* Inſtructions from the Parliament of Scotland to their Commiſsioners at London concerning proceeding againſt the Kings person. 338.
8. * Ordinance anent the Initiall words to be prefixed to Acts of Parliament. 338. Jan. 6.
9. Act in favouris of Sir James Hope of Hoptoun to hold courts within his Majeſties Mint-houſe. 338.
10. Act ratifying the Act of Indiction of this preſent Parliament. 339. Jan. 11.
* Proteſtations for the Lords Borthuike Roſs and Cathcart and the Laird of Wedderburn for precedencie. 340. Jan. 12.
11. Commiſſioun for John Dicksone of Hartrie his proces. 340. Jan. 13.
Report of the Committee concerneing John Dickſon of Hartrie. 341. Jan. 15.
12. * Act againſt theſe who were upon the unlawful Engagement, and had uſed Inſolencies. 341.

1649, Jan. 16. 13. Act repealing all Acts of Parliament or Committee, made for the late unlawfull Engagement, and ratifying the Proteſtation, and Oppoſition againſt the ſame. p. 341.
14. Act in favours of the Miniſters who were at Mauchlein-Moore. 346.
15. Act of Commiſsion anent the Univerſitie of St. Andrews. 346.
Letter from the Commiſſioners at Londone to the Parliament. 347.
Letter from the Commiſſioners at London to the Houſe of Commons. 348.
Jan. 18. 16. Act containing the Return of the Eſtates of Parliament upon the Teſtimony communicated unto them by the Commiſſioners of the Generall Aſſembly and their concurrence with the ſame. 349.
17. * Warrand to Sir William Scot Clerk of Parliament, to ſubſcrive Extracts and Acts thereof. 351.
18. * Oath of the Members of Parliament, anent their knowledge of, or acceſſion to the late proceeding of the Engliſh Army in relation to the King or Houſe of the Parliament of England. 351.
* The returne of the Eſtates of Parliament upon the Teſtimony communicated unto them by the Commiſsioners of the Generall Aſſembly and their concurrence with the ſame. 351.
Depoſitiones of John Dickſone of Hairtrie. 351.
19. Act in favors of Johne Dickſone of Hairtrie. 351.
20. * Act in favours of the Lord Roſs. 352.
21. * Act anent the citation of theſt who falls under the Act of Claſſes. 352.
22. * Act diſcharging tranſportation of victuall. 352.
23. * Diſpenſation for inferiour Judicatures to ſit notwithſtanding the ſitting of the Parliament. 352.
Jan. 23. 24. The Act of Claſſes for purging of the Judicatories, and other places of publick truſt. 352.
* Additional Inſtructions be the Parliament of Scotland to their Commiſsioners at London. 350.
Jan. 24. Remitt to the Committee of diſpatches concerning the cannon armes ammunition and other proviſion left in England. 356.
Jan. 25. 25. Act in favours of the Univerſity of St. Andrews, anent the rents of the Archbiſhopprick and priory of St. Andrews. 357.
26. Act in favours of the Univerſity of Saint Androis, anent execution to follow upon ſentences to be given out by the Commiſſion appointed therefore. 357.
Jan. 26. 27. Act ratifying and containing the tenour of the band for ſecuring the peace of the Kingdom, and enjoyning the ſame to be ſubſcribed. 358.
Reference to the Committee of Diſpatches of the Letter from the Commiſsioners at London. 358.
Jan. 27. 28. * Act in favours of the Lord Ochiltrie. 359.
Jan. 30. 29. Act in favours of the Town of St. Androis for proviſion of a third Miniſter. 359.
30. * Act anent the taking of the Oathes of theſe liable in payment of the Exciſe. p. 359. 1649, Jan. 30.
31. Act againſt Conſulters with Devils and Familiar Spirits, and againſt Witches and Conſulters with them. 359. Feb. 1.
32. Act againſt Fornication. 360.
33. * Ordinance for ane Solemne Faſt. 360. Feb. 2.
34. Act of Maintenance of the moneth of February. 360. Feb. 3.
35. * Act in favours of the Shires in the Weſt and others that roſe in oppoſition to the late unlawfull Engagement. 361.
36. * Act in favours of the Earl of Sutherland. 361.
37. * Act of exemption from payment of the Maintenance for the Moneth of February. 361.
38. * Act in favours of certain perſons in Elgin and Nairn 361.
Letters from the Commiſſioners in London to Generall Fairfax and Lieutenant Generall Cromwell. 362.

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V DIE FEBRUARII, A.D. M,DC,XLIX.

39. * Act declaring the meeting of Parliament and Acts done upon the 5. February 1649. to be lawfull. 362. Feb. 5.
40. * Act anent the ſolemnities to be keeped in reading and proclaiming of Charles the Second King of Great Britaine, France and Ireland. 362.
41. Proclamation of Charles the Second, King of Great Britain, France and Ireland. 363.
42. * Act in favours of John Campbel. 363.
43. * Act in favours of the lieges who purchaſed Brieves and others writts before or after our late Soveraign his death, and before the knowledge thereof. 363. Feb. 6.
* Inſtructions from the Parliament to their Commiſsioners at London to come away for Scotland. 363.
44. Act anent ſecuring of the Covenant, Religion, and peace of the Kingdom. 364. Feb. 7.
45. Act anent the Catechiſmes, Confeſsion of Faith, and ratifying thereof. 364.
46. * Commiſſion in favours of the Earle of Sutherland. 364.
47. * Warrand granted to the Juſtice to ſit upon Patrick Hald 364. Feb. 8.
48. * Act in favours of the Town of Breichen. 364.
49. * Act for ſaſing the feuds and caſtles, while new ones be made. 365.
50. * Act anent Signators and others paſt our late Soveraign his hands, and not paſt the Exchequer before his decaſe. 365.
51. * Act in favours of the tutor of Caddell, anent the Garriſon of Ayla. 365.
52. * Anſwer of Parliament to the obſtructions whilks might occaſion defalcation of the Maintenance of the four Monthes preceeding Februar inſtant. 366.

1649, Feb. 8. 53. * Act in favours of Reformer Officers. p. 365.
54. * Act joyning the Bailliarie of Lawderdale to the Sheriffdom of Berwick, anent the publick dues. 365.
Feb. 9. 55. * Act in favours of Robert Pattoun. 365
56. * Act in favours of Chriſtian Forret. 365.
57. * Act in favours of Dame Geils Moncreiff. 365.
Report of the Committee anent Dame Geillis Moncreiff. 365.
58. * Act anent the Kirk of Camerone. 365.
59. * Act in favours of Captain Alexander Lokhart. 365.
60. * Act in favours of John Campbell and others. 365.
61. * Act in favours of the Lord Lovat and Sir James Fraſer. 365
62. * Act in favours of Hector Macleane of Torlosk. 365.
63. * Act in favours of the Laird of Kilſythe. 365.
64. * Act in favours of Alexander Meingies, and *Patrick Roſs*. 365.
65. * Act in favours of the Committee of War of the Sherifdom of Linlithgow. 366.
66. * Act in favours of the Town of Aberbrothe. 366.
67. * Act in favours of the Town of Forfar. 366.
68. * Act in favours of the Town of Forres. 366.
69. * Act in favours of the Heretors of Spyne. 366.
70 * Act in favours of the Tenents of Inchkeir. 366.
71. * Act in favours of Maſter Robert Gordoun of Straeloche. 366.
Petition of Colonell James Campbell of Laweris. 366.
Feb. 10. 72. Act for information of the Lieges, anent the ſecuring the Peace of the Kingdom. 367.
Feb. 13. 73. Act againſt remiſsions for capital crimes. 368.
74. Act anent the ſeverall degrees of caſuall homicide. 368.
75. Act againſt Swearing, Drunkenneſſe, Scolding and other Prophanities. 368.
76. Act anent mortifications and dotations to Hoſpitals and other pious uſes. 369.
77. Act againſt Clandeſtine Marriages. 369.
78. Act againſt ſcandalous perſons. 370.
79. Act againſt going of Mylnes, Kills, Salt-pans, or Fiſhing on the Lords-day. 370.
80. * Act in favours of the Committee of War of Pearthſhire. 370.
81. * Act in favours of the Laird of Houſtoun. 370.
82. * Decreet againſt the Earl of Crawfurd-Lindſay Theſaurer principall, &c. 370.
83. * Decreet againſt the Earl of Lanerk Lord Secretar, &c. 370.
84. * Decreet againſt the Earl of Roxburgh Lord Privyſeal, &c. 370.
85. * Decreet againſt Sir Alexander Gibſone of Durie Clerk of Regiſter, &c. 370.
86. * Decreet againſt Sir Andro Fletcher of Inuerpeffer, one of the Senatours of the Colledge of Juſtice, &c. 370.
87. * Act of diſſolution of the Parſonage of Kingkell. 370.
88. * Ratification of the contract betwixt the Earl of Carnwath, and Presbyterie of Biggar. p. 371. 1649, Feb. 13.
Supplicatioun of Sir Robert Campbell of Glenurquhy knyght. 371.
89. Act for putting the Kingdome in a poſture of defence. 372. Feb. 15.
90. * Decreet againſt the Lord Halkertoun, one of the Senatours of the Colledge of Juſtice, &c. 381.
91. * Decreet againſt Sir John Hamiltoun of Orbeſtoun Juſtice Clerk, &c. 381.
92. * Decreet againſt Sir James Lokhart of Lea, one of the Senatours of the Colledge of Juſtice, &c 381.
93. * Decreet againſt William Earl of Glencarne Juſtice Generall, &c. 381.
94. * Act in favours of the Miniſters of Drumire and Kirkpatrick. 381. Feb.
95. * Act in favours of the Earl of Levin Lord Generall, &c. 381.
96. * Act in favours of Maſter William Twedie Miniſter at Slamanno. 381.
97. * Act in favours of John Duff and Chriſtian Allane. 381.
98 * Act in favours of Chriſtian Forret. 381.
99. * Act in favours of Robert Patoun. 381.
100. * Warrand to the Lord Chancellour to paſſe all Suſpenſions in matters concerning the Exchequer. 381.
101. * Act in favours of the Laird of Ardkinlas. 381.
102 * Act in favours of the Lady Lamount. 381.
103. * Act in favours of James Campbel Writer. 381.
104. * Act in favours of the Town of Monroſs. 381.
105. * Act in favours of the Town of Dundie. 381.
106. * Act in favours of the Parochine of Kirkcanders. 382.
107. * Commiſſion for trying of William Mackornock. 382.
* Proteſtation by the Earl of Haddingtoun againſt the Act of Mynes and Minerals, with the Proteſtation in the contrare. 382.
108. Act for keeping the Judicatories and places of truſt free of corruption. 382. Fe.
109. Act anent Mynes and Minerals. 382.
110. Act againſt the horrible crime of blaſphemy. 383.
111. * Act in favours of the Earl of Glencairn. 383. Fe.
112. * Ordinance for repairing the works in and about Pearth. 383.
113. * Act in favours of the Earl of Eglintoun. 383.
114. * Act ratifying James Stirling his accompts of the rents of Mugdock. 383.
115. * Act in favours of the Marqueſſe of Argyle, anent the rents of Mugdock. 383.
Report from the Committee of accomptis and burdeans anent the ſupplicationes gevin in be the Marquis of Argyle and James Stirling chamberlain of Mugdock anent the dewties of the landis and baroneis of Mugdock Dundaff Auchinhowie and Auchincloich. 383.

1649, Feb. 23. Remitt concerning the Toune of Inuernes to the Committee of Diſpatches. p. 384.
116. * Orders for the fortification of Leith. 384.
117. * Act in favours of Anſtruther-Eaſter. 384.
* Inſtructions from the Parliament to the Commiſſioners who ſhall be appointed to the Kingis Majeſtie in Holland. 384.
* Grounds for a draught of a declaration to be emitted be his Majeſtie in caſe of his reſolution to come to Scotland. 384.
Feb. 24. 118. * Act in favours of Captain George Smyth. 385.
Supplication of Captain George Smyth in Elgin of Murray. 385.
119. * Act in favours of Francis Broodie. 385.
120. * Act in favours of the Town of Pearth. 385.
121. * Act in favours of Duncan Forbes and his ſon. 385.
122. * Act of exemption in favours of the Town of Inuernes. 385.
123. * Act in favours of Robert Ferquharſon of Inuercald. 385.
124. * Warrand for farming the Exciſe of Aberdene. 385.
Feb. 26. 125. * Act in favours of the Lord Ochiltrie. 385.
126. * Act in favours of the Lord Cowper. 385.
127. * Act in favours of William Muire of Glanderſtoun. 385.
Feb. 27. Remitt Inſtructions concerning the reduceing of toune of Invernes. 385.
Precept againſt Sir Archibald Prymroſe. 386.
Letter from Sir Archibald Prymroſe to the Parliament. 386.
* Proteſtation Sir William Dick againſt the additional Exciſe. 387.
Feb. 28. 128. Act of Levy. 387.
Mar. 1. 129. Act anent the Poore. 389.
Overtoures from Dunbeath and Obſtaill anent the rebellion in the North. 391.
Protectioun to Sir Lachlane M'Clane of Dowart. 391.
130. Act anent the nomination of the Rootmaſters. 391.
Nomination of the Officers by the Colonells and Commiſſioners of shyres. 391.
Mar. 2. 131. Act againſt theſe at Inuerneſs, who have riſen in armes againſt the Kingdom. 392.
132. * Commiſſion for trying the Collector of Pearth-ſhyre to an accompt. 393.
133. * Act in favours of the Laird of Ceſnok. 393.
Supplicatioune in favours of Sir Hew Campbell of Ceſnok knight. 393.
134. * Act in favours of the Lord Fraſer and others anent the houſe of Pitcaple. 394.
Supplication of Johne Forbes of Leſlie &c. 394.
Report of the Committee anent the burning of the house of Pitcaiple. 394.
135. * Act in favours of the Inhabitants of the Chanrie of Roſs. 395.
Supplicatione from the Inhabitants of the Chanonrie of Roſs. 395.
136. Act in favours of the Lord Chancellour, anent his proportion of this preſent leavie of Horſe. p. 395.
137. Act of exemption in favours of the Earl of Dumfermling. 395.
Supplicatioun of Charles Earle of Dumfermling. 395.
138. * Act of exemption in favours of the Lairds of Glenurquhie. 396.
139. * Act of exemption in favours of the Laird of Lawers Comries and others. 396.
140. * Act againſt Ra[illegible]awayes, and theſe who were upon the laſt unlawful Engagement. 396.
141. * Act in favours of the Town of Edinburgh anent their Miniſters ſtipends. 396.
142. * Act in favours of Sir John Murray of Philiphaugh. 396.
Repoirt of the Committie anent Sir Jhone Murray of Philliphauche. 396.
143. * Act in favours of Maſter Robert Keith, Miniſter at Deir. 397.
Report of the Committee anent M[r] Ro[illegible] Miniſter at Deir.
144. Act in favours of the Heretors of Glenca[illegible]
145. * Act for tranſportation of the Kirk of [illegible] dean.
146. * Decreet againſt the Earl of Glencairn, annulling his Patent of Earledome 28 May 1488. 398.
Letters from Major Holburne to the Marques of Argyle and from the Parliament to Major Holburne. 398
Repoirt of the Committee of Billis on the Suppl[illegible] catio[illegible] of Sir Thomas Ruthven of Frieland. 39[illegible]
147. Act againſt worſhippers of falſe gods. 3[illegible] Mar. 3.
148. Act againſt beaters or curſers of the[illegible] Parents. 399.
149. * Warrand granted to Sir William Sco[illegible] for giving out Commiſſions for revaluations. 399.
150. Act in favours of Captain John M'Nab. 399.
151. * Warrand to the Lords of Seſſion to grant Mar. 5. diſpenſation for inferior Judicatories. 400.
152. * Commiſſion granted to the Earl of Caſſils, Mar. 6. Lairds of Brodie and Libertoun, and Alex[r] Jaffray to go to his Majeſty in Holland with the Inſtructions given to them. 400.
153. * Ratification in favours of John Hammiltoun of Udſtoun. 400.
154. * Ratification in favours of Maſter David Hay of Woodcockdail. 400.
155. * Ratification in favors of Mary Durhame and Major Dickson. 400.
156. Act anent the additional Exciſe. 400. Mar. 7.
157. Act anent theſe perſons who are to be fined, and from whom moneys are to be borrowed. 400.
158. Act anent the filling of the places of the Principals of Philoſophy, within the Univerſity of S[t]. Andrews. 401.
159. Act of Maintenance for three Moneths. 401.

1649. Mar. 7. 160. * Act in favours of Sir James Stuart Generall Commissar anent the fifth part added to the Maintenance. p. 403.
161. * Act in favours of the Royall Burrows. 403.
162. * Ratification of the Act of the Committee of Estates for exemption of Glenurquhy, Lawers and others. 403.
163. * Act of exemption in favours of the Laird of Buchanan. 403.
164. * Act of exemption in favours of the burgh of Breichen, and others. 403.
Exemptions from maintenance not insert in the Act of February 3. 1649. 403.
Letter from the Council of State appointed by authority of the Parliament of England to the Parliament of Scotland. 404.
Orders of the House of Commons to send a Duplicate of the Scotts Commissioners papers into Scotland with a message. 404.
Paper given by the Scots Commissioners at London to the Parliament of England. 404.
[illegible] of Patrick Erle of Panmure. 407.
[illegible] in favours of the Vassals of Kirklands. 408.
[illegible] Act in favours of the Town of Edinburgh, anent the Imposition upon Wine, Strong-waters, and Tobacco. 410.
167. Commission for revaluation of the Sheriffdom of East Lothian and others. 410.
* Protestation Earl of Abercorn against the Act made in favours of the Vassals of Kirklands. 410.
168. * Warrand to the Lord Chancellour and Director of the Chancellary, anent Colonell Scot his Pass. 410.
Supplication of Colonell Walter Scott. 410.
169. * Act in favours of Alexander Forbes and Alexander Brodie. 411.
Supplicatioun of Alexander Forbes and Alexander Brodie. 411.
170. Act prorogating the diets of the Commissioners, and their Sub committee for visitation of the University of St Andrews. 411.
Mar. 9. 171. Act abolishing the Patronages of Kirks. 411.
172. Act anent Quarterings. 412.
173. * Act anent the maintenance of run-away Souldiours. 413.
174. * Decreet at the instance of the Earl of Eglintoun against the Earl of Glencairn. 413.
175. Act in favours of the Town of Borrowstounnes, anent the erection of a new Kirk. 414.
Supplication of the parochineris and Inhabitantis of the tounn and villadge of Borrowstounness. 414.
176. * Act in favours of the Laird of Lawers. 414.
Report of the Committee appointed for the Laird of Lawers supplication. 414.
177. Act anent the List and Roill of the Laird of Laweris his persones names fra whome moneyis ar to be borrowed. 415.
178. * Act in favours of John Hay of Knockkowdie. 417.
179. * Act of exemption in favours of the said John Hay. 417.
Supplicatione of John Hay of Knockowdie. p. 417.
180. * Act in favours of the Earl of Sutherland. 417.
Report of the Committee of dispatches of the Earle of Sutherland his supplicatioun. 417.
181. * Act in favours of Sir Charles Erskine. 418.
Report of the Committee anent the Supplication of Sir Charles Erskine. 418.
182. * Act in favours of the Marquesse Argyle. 418.
Report of the Committee for common burdens and accounts anent the Supplication of the Marquis of Argyle. 418.
183. Act in favours of the Town of the Cannogaitt anent their Ministers stipends. 419.
184. * Act ordaining the Committees of Warre to supply the places of the Justice of Peace. 420.
185. Act anent the filling of vacand places. 420.
Letter from Sir Archibald Primerose to the Parliament. 421.
186. * Decreet against Sir Archibald Primerose Clerk of Secret Councell. 421.
187. * Decreet against Sir James Learmouth of Balcomie one of the Senatours of the Colledge of Justice, &c. 421.
Report of the Committee of Dispatches anent Sir James Learmouth of Balcomie. 421.
188. * Decreet against Sir James Carmichael Thesaurer-Depute. 421.
189. Nomination of the Earl of Sutherland to be Lord Privie seall. 421.
190. * Nomination of the Earl of Lothiane, to be one of the two that are to discharge the office of Secretary. 422.
191. * Nomination of Sir Daniel Carmichael to be Thesaurer-Depute. 422.
192. * Nomination of Sir Archibald Johnstoun to be Clerk of Register. 422.
193. * Nomination of Master Thomas Nicolson to be his Majesties Advocat. 422.
194. * Act in favours of the Lairds of Glenurquhy and Auchinbreck. 422.
Report of a Committee of Parliament anent Glenurquhy and Auchinbreck. 422.
195. Warrand to John Dickson to produce Haddo his proces and the processes Jhone Logie and laitt Marqueis of Humlie. 423.
Letter from the Parliament to William Lentheli Esquire. 423.
Instructions from the Parliament to the Earle of Lothian, Sir John Chiefly, and William Glendoning. 424.
196. * Act anent Sir Archibald Johnstoun Clerk of Register, accepted his place, and gave his oath de fideli administratione. 424.
197. * Act anent the purging of the places under the Clerk of Register. 424.
198. * Act and warrand for delivery of the keys of the houses of the castle of Edinburgh where the Registers and Records lyes to the Clerk of Register. 424.
199. * Act in favours of the Burgh of Aberdene. 424.

1649, Mar. 12. 200. * Warrand to the Laird of Suintoun for examining the proceſſe and decreets of forefaulture againſt the late Marqueſſe of Huntly and others. p. 424.

201. * Act anent the diviſion of the Horſes to be put forth by the Shires of Aberdene, Kincardin and Bamff. 424.

* Proteſtation by the Vicount of Arbuthnet againſt the ſaid Act. 424.

202. * Act anent the lands of Innerugie and Straloch. 424.

203. * Act in favours of the Earl of Caſſills. 424.

204. * Act in favors of William Muir of Glanderſton. 424.

205. * Act in favours of Colonell Robert Montgomerie. 424.

206. * Act anent the diſpoſing of borrowed moneys and fynes. 425.

207. * Act in favours of Sir John Brown. 425.

208. * Act in favours of Maſter James Campbel. 425.

209. * Orders to the Generall Commiſſar anent the paying of the Forces. 425.

210. * Warrand to the Lord Chancellour anent the Miniſter of Dalmenie. 425.

211. * Act where Mr Thomas Nicholſon accepted to be his Majeſties Advocate, and gave his oath. 425.

212. * Act in favours of the Earl of Eglintoun. 425.

213. * Act anent the election of ſeven ordinary, and two extraordinary Lords of Seſſion. 425.

214. * Act and decreet againſt Sir John Leſlie of Newtoun. 425.

Report of the Committee for common burdens anent the accompts of the tax and loan. 425.

Mar. 13. 215. * Exemption granted to the Burghs of Kirkcaldie and Kinghorn. 425.

216. * Commiſſion for reviſing of Reports and Bills. 425.

217. * Act appointing the Lord Balmerinoch in place of his father, for viſiting the Univerſity of Saint-Andrews. 425.

Mar. 14. 218. Commiſsion to the Committee of Eſtates. 425.

219. Act of Commiſsion for Moneys and Exciſe. 427.

220. Act anent the Creditors of forefaulted perſons. 429.

221. Act anent Miniſters Stipends, Gleibs and Manſes. 430.

222. * Act in favours of the Earl of Leven Lord Generall. 431.

223. * Recommendation of the Earl of Caithnes to the Laird Dumbeath. 431.

224. * Commiſsion anent Alexander Wilkiſon Burgeſſe of Lawder. 431.

225. * Paſs granted to the Earl of Dumfermling. 431.

226. * Act in favours of Mr James Wood Miniſter. 431.

227. * Recommendation in favours of Sir James Hope anent the erection of a Kirk, to the Commiſſioners for plantation of Kirks. 431.

228. * Commiſſion for trying of the loſſes of Bamff and Culloun. p. 431. 1649, Mar 14.

229. Act annulling certain commiſsions of Judicatory and of new Sheriffſhips Bailliaries and Regalities. 431. Mar. 15.

230. Act Commiſsion for reviſing the Lawes and Acts of Parliament. 432.

231. Commiſſion for plantation of Kirks. 433.

232. Act anent Sope-works. 434.

233. Act of Commiſsion for the Exchequer. 434.

234. * Order to the Committee of Eſtates for appoynting one to draw in writt the Chronicles of the tymes. 434.

235. * Ratification of an Act of the Committee of Eſtates in favours of Sir John Weymes of Bogie. 434.

236. * Act in favours of the Laird of Brodie. 434.

237. * Act nominating Archibald Scot of Sintoun to be Rut-maſter of the Shyre of Selkirk in place of the Laird of Stobs. 435.

238. * Addition to the Committee of War of the Shyre of Linlithgow. 435.

239. * Act ordayning the General Commiſſar to be heard before payment be made of any ſummes of money. 435.

240. * Act appoynting the Laird of Allantoun younger to be Rutmaſter in place of George Lockhart. 435.

241. * Act in favours of Alexander Forbes of Auchintoull. 435.

242. * Additional Inſtructions to the Commiſſioners going for Holland to his Majeſty. 435.

243. * Letters to the Kings Majeſty. 435.

244. * Act in favours of Mr Roger Mowat. 435.

245. Act in favours of Sir David Home of Wedderburne. 435.

246. * Act in favours of Thomas Ghaidſtanes. 435.

247. * Act in favours of the Laird of Buchanane. 435.

248. * Act in favours of Alexander Brodie of Lethem. 435.

249. * Act in favours of Coll. John Cockburne. 435.

250. * Act in favours of Alexander Forres. 435.

251. * Act in favours of Mr Alexander Colvill of Blair Juſtice Depute. 435.

252. * Act and recommendation in favours of the Miniſters in the Presbyterie of Dunſe, anent the Parochin of Eckilis. 435.

253. * Act in favours of George Jameſon. 435.

254. * Commiſſion to Mr Robert Farquher. 435.

255. * Act in favours of Mr Bernard Sanderſon Miniſter. 435.

256. * Act for the Committee of War at Dumfreis, anent certain armes up-lifted by them. 435.

257. * Act anent certain debts contracted by the Shyre of Dumfreis. 435.

258. * Reference in favours of Andro Gray. 435.

259. * Act in favours of John Sempil. 436.

260. * Act in favours of John Denholme. 436.

261. * Act in favours of the Burgh of Dundie. 436.

1649, Mar. 15.
262. * Act and Commiſſion anent James Pendor and others. p. 436.
263 * Act in favours of the town of Lanerk. 436.
264. * Ratification in favours of the principall Takſmen of the Kings Cuſtoms and Impoſts. 436.
265. * Act in favours of Mr William Row Miniſter. 436.
266. * Act anent the confining of the Earl of Crawfurd-Lindſay. 436.
267. * Act electing the Earl of Caſſils to be Juſtice Generall. 436.
268. * Act electing the Sheriffs principals in the ſeverall Shyres. 436.
* Proteſtation Town of Cowper againſt the Earl of Rothes. 436.
269. * Act in favours of the Burgh of Pearth. 436.
270. * Warrand to the Commiſſioners direct to the Kings Majeſty for borrowing of moneys. 436.
271. * Act appointing Sir Hew Campbell of Ceſnock to be Juſtice Clerk. 436.
272. * *Act appointing* Sir John Cheiſlie Maſter of Requeſts to his Majeſty. 436.
273. * Act and ratification in favours of the Lord Marquis of Argyle and Laird of Calder, concerning the lands of Yla and Kintyre, and exoneration. 436.
274. * Act of exemption in favours of the Laird of Buchanan. 436.
275. * Act in favours of Lieutenent John Muir. 436.
276. * Act in favours of Anna Campell. 436.
Supplication of the baillies and communitie of the burgh of Craill. 436.
277. Commiſſione to Sir Charles Erſkine to be Shereffe Principall of Stirling. 437.
Mar. 16. 278. Act of Commiſsion for the Treaſury. 437.
279. *Act Salvo jure cujuſlibet.* 437.
280. Act continuing the Parliament to the 23. of May, 1649. 438.
281. * Act ordaining the Commiſſioners of Aberdeen to ſit and adminiſter juſtice within the Burgh of Aberdeen. 438.
282. * Act of approbation and exoneration to Colonell Robert Montgomery. 438.
283. * Act anent John Rowan his delivery of the Signet. 438.
284. * Act anent John Leirmonth his delivery of the Privy Seale, and the Earle of Sutherland accepting thereof. 438.
285. * Act in favours of Sir Alexander Hamilton, and Sir James Fraſer of Brae. 438.
286. * Act in favours of the Marquis of Argyle. 438.
287. * Commiſſion for viſiting the Univerſity of Glaſgow. 438.
288. * Act and Declaration anent Lodovicke Gordon. 438.
289. * Act and reference in favours of Lieutenant Colonel Menzies. 438.
290. * Exemption to the Viſcount of Arbuthnet of this preſent levy. 438.
291. * Act in favours of Major Thomas Weir and his pupils. p. 438. 1640, Mar. 16.
292. * Act in favours of Mr. Robert Barclay. 438.
293. * Act in favours of Sir Thomas Ruthven of Freeland. 438.
294. * Ratifieation in favours of Mr. Alexander Cairden Miniſter. 438.
295. * Act in favours of Sir William Cunningham of Cunningham-heid. 438.
296. * Act in favours of Mary Drummond. 438.
297. * Act anent the doom given againſt the late Marqueſſe of Huntly. 438.
298. * Act in favors of the Laird of Dudingſton. 438.
299. * Act in favours of the Burgh of Tayne. 438.
300. * Reference to the Sheriffe of Edinburgh anent Mr. James Urquhart Miniſter. 438.
301. * Commiſſion anent the Lord of Morphie, and the Bairnes of umquhyl Mr. James Sibet. 438.
302. * Act in favours of Mr. Thomas Henderſon. 438.
303. * Act in favors of John Dickson of Hairtrie. 438.
304. * Act in favours of the Earl of Kinghorn, &c. 439.
305. * Act anent the Earl of Kinghorne &c. 439.
306. * Act for dividing the Shire of Roſse from the Shire of Inuernes. 439.
307. Tak of the Excyſe to the Lord Marqueſſe of Argyle, and Sir William Dick. 439.
308. * Act in favours of Captain Hall. 439.
309. * Act in favours of the Earl of Kinghorne, the Counteſſe of Kinghorne his Mother, and the Earle of Panmure. 439.
310. * Act in favours of James Monorgand. 439.
311. * Act in favours of Robert Adaire of Kinhilt. 439.
312. * Remitt in favours of the Laird of Glenkindie. 439.
313. * Act in favours of Mr. James Campbell of Moy. 439.
314. * Act in favours of fundry Miniſters in the Shires of Aberdeen and Bamff, anent their ſtipends. 439.
315. * Act in favours of Barbara Mein. 439.
316. * Act in favours of the Burgh of Dundee. 439.
317. * Act in favours of James Lord Coupar. 439.
318. * Act in favours of the Laird of Minto. 439.
319. * Act in favours of Evan Tyler. 439.
320. * Act in favours of the Laird of Glenkindie. 439.
321. * Act in favours of Jean Edmeſtoun. 439.
322. * Act in favours of the Town of St Andrews. 439.
323. * Act in favours of Margaret Levingſton. 439.
324. * Recommendation in favours of the Preſbytery of Aberdeen, to the Commiſſioners for plantation of Kirks. 439.
325. * Act and Decreet in favours of Sir John Brown of Fordell. 439.
326. * Act anent the tranſportation of the Kirk of Dunſcoire. 439.

1649, Mar. 16.

327. * Reference Sir Lodovick Gordoun of Gordonſton to the Exchequer for reparation of his loſſe. p. 439.
328. * Act in favours of Jean Cockburn relict of umquhyll David Scrymgeor. 439.
329. * Act in favours of Alex' Forreſt Maiſſer. 439.
330. * Act in favors of the Laird of Grenok. 439.
331. * Act in favours of Mr. Patrick Pitcairn. 439.
332. * Commiſſion Walter Leſly of Gedloche. 439.
333. * Act in favours of the Town of Lanerick anent the contribution for building of a brig over the water of Clyde. 439.
334. * Act in favours of Donald Camrone. 439.
335. * Act in favours of the creditors of Weſtnisbet. 439.
336. * Remitt Shire of Caithnes to the next Seſsion of Parliament. 439.
337. * Act in favours of Robert Maſterton Merchant Burges of Edinburgh. 439.
338. * Act in favours William Tweidie. 439.
339. * Act in favors of the Earl of Sutherland. 439.
340. * Remit Paroch and Town of Lanerick. 440.
341. * Act in favours of Robert Mathewſon. 440.
342. * Act and precept in favours of Major Thomas Weir. 440.
343. * Act in favours of the Laird of Maccleod. 440.
344. Commiſſion to the Laird of Eight for Intromiſsion with the Papiſts rents. 440.
345. * Act in favours of Sir Charles Erskine. 440.
346. * Act in favours of John Hamilton Apothecary. 440.
347. * Act exeeming the Laird of Buchanans lands from the preſent levy. 440.
348. * Act in favours of Sir William Scot of Clerkingtoun. 440.
349. * Act in favours of Mr. Laurence Scot. 440.
350. * Act in favours of Sir James Hope anent his lead-work, and workmen. 440.
351. * Act in favours of Sir James Hope for repayment of 100. l. Sterling. 440.
352. * Act and Warrant in favour of Sir William Dick anent Suſpenſions. 440.
353. * Act in favours of Barbara Johnſton, Lady Blackwood. 440.
354. * Act in favours of James Monteith, Pewterer. 440.
355. * Remit in favours of Colonel Walden. 440.
356. * Act where the Marqueſſe of Argyle, the Lord Burghlie, and Sir Daniel Carmichael made faith de fideli adminiſtratione, as Commiſsioners for the Treaſury. 440.
357. * Act where Mr. Robert Bruce of Gellats, Mr. Alexander Pearſon, and Mr. Robert Macgill, made faith de fideli adminiſtratione, as Lords of Seſsion. 440.
358. * Order for John Dickson of Hairtrie to deliver the Keyes of the Caſtle of Edinburgh, where the Regiſters lies, to the Clerk-Regiſter. 440.
359. * Act for filling up places of Privy Councell, and where Mr. Thomas Nicholson, and the Provoſt of Edinburgh, made faith as Privy Councellours. p. 440.
360. * Act ordaining thoſe who falls not under the compaſſe of the Claſſes, to be preferred in payment to theſe who falls uner the compaſſe of the ſaid Act. 440.
361. * Commiſſion renewed concerning the affaires of the houſe of Roſſe. 440.
362. * Warrant to the Committee of Eſtates to to publiſh the Act anent the ſin of Inceſt, after conference with the Commiſsioners of the Generall Aſſembly. 440.
363. * Act of election of certain Privy Councellours. 440.
364. * Warrant to the Committee of Eſtates to diſcuſſe the ſupplications not diſcuſſed in Parliament. 440.
365. * Inſtruments taken by Scottiſcraig anent the redelivery of the Honours. 440.
366. * Act for publiſhing and printing publick Acts. 440.
367. * Act in favours of the Countes of Merſhell. 440.
368. * Act in favours of Sir James Stewart Generall Commiſſar. 440.
369. * Ratification in favours of William Short. 440.
370. * Ratification in favours of Sir James Stewart of his gift of the offices of Generall Commiſſary Collector of the maintenance and Treaſurer of the Exciſe. 441.
371. * Ratification in favours of Sir Archbald Johnſton of Warriſtoun Knight, Clerk of Regiſter anent his penſions. 441.
372. * Ratification in favours of the Lord Chancellour anent the Sheriff-ſhip of Aire and Bailyiary of Kil-ſtewart. 441.
373. * Ratification in favours of Maſter Adam Brown Miniſter. 441.
374. * Ratification in favours of Mr. Thomas Murray and Mr. Patrick Pitcairn. 441.
375. * Ratification in favours of James Ruched Merchant. 441.
376. * Ratification in favours of the Marqueſſe of Argyle. 441.
377. * Ratification in favours of the Burgh of Inverary. 441.
378. * Ratification in favours of the Lord Chancellour and his Son. 441.
379. * Ratification in favours of the Lord Chancellour anent the yeerly penſion of a thouſand pound ſterling. 441.
380. * Ratification in favours of Sir Alexander Hope. 441.
381. * Ratification in favors of John Buchanan. 441.
382. * Ratification in favours of Robert Pringill of Stitchell, of the lands of Weſter-Gordoun called Greinknow. 441.
383. * Three Ratifications in favours of the Town of Edinburgh. 441.

1649, Mar. 16.

1649, Mar. 16. Supplicatione of Catherine Buchanan, Lady Rearis younger. p. 441.
Supplicatione of Johne Lindeſay of Edyell for exemptioun of mantenance. 441.
Supplicatione of Harie Elphingſtoune of Caderhall. 442.
Supplicatione of Margaret Heriot relict of umquhill Thomas Ogilbie of that Ilk. 442.
Supplicatione of William Sandelands of Hilderſtone. 443.
Supplicatioun of Robert Arbuthnot off Findowrie for exemptioun from mantenance and leavies. 443.
Supplicatione of the Commiſſionaris of Wigtoune and Kirkcudbryght. 444.
Note of the Burghes Royall to be added to the act anent the erectiones. 444.

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PARLIAMENTUM APUD EDINBURGH,

XXIII DIE MAII, A.D. M,DC,XLIX.

1649, Maii 23. 1. Act nominating John Earl of Lowdoun Lord Chanceller, Prefident of this Seſsion of Parliament. p. 445.
2. Act continuing the Committees of war in the ſeverall Shires untill they be of new elected. 445.
3. * Inſtruments taken by the Lord Marquis of Argyle upon the production of the honours in face of Parliament, and deliverie thereof to the Laird of Scotſcraig, in name of the Earle Marſhall. 445.
4. * The Earle of Eglintoun excuſed for abſence, while the recovery of his health. 445.
5. Commiſſion to the Committee of Diſpatches, and for publict affaires. 445.
6. Act prorogating the dyet for viſitation of the Univerſity of Saint Andrews. 446.
7. * Act continuing the Commiſſioners for the excife and accompts while further courſe. 446.
8. * Act prorogating the dyet of the ſervice of Marion Weir. 446.
9. * Warrand to the Magiſtrates of Edinburgh for keeping Lord Rhae and others in ſure priſon. 446.
Maii 29. 10. Act continuing the maintenance for the moneth of June, 1649. 446.
11. * Warrand to the Lord Advocat and Maiſter Alexander Colvil, to examine John Watt with certain witneſſes. 447.
12. * Commiſſion for taking and apprehending William Wallace of Craigie and others. 447.
13. * Reference William Wallace of Burnbank contra Laird Cragie. 447.
14. Paſſe for Colonell William Stewart. 447.
15. * Act in favours of the Relict and Bairnes of Captain Mackleane. 447.
16. * Commiſſion for tryall of John Murdoche. 447.
17. * Act anent the time of payment of the Officers of Troops lately levied. p. 447. 1649, Maii 29.
18. * Act anent John Watt Skipper. 447. Maii 30.
19. * Commiſſion granted for tryall of certain witches, in communi forma. 447.
20. * Act prorogating the Commiſſion granted to the Committee of Bills. 447.
21. * Commiſſion for tryall of the Collectors of Perth Shyre. 447.
22. * Protection Laird of Barnes. 447.
23. * Act anent the times of ſitting of Seſsion and Parliament. 447.
24. Act anent the ſitting of the Lords of Seſſion conſtantly in tyme coming during their ordinary tyme. 447. Maii 31.
25. * Act adding the Earle of Sutherland, the Lord Arbuthnot, and the Laird of Frieland to the Committee of Diſpatches. 448.
26. * Act adding certain perſons to thoſe formerly appointed for the viſitation of the Univerſity of Glaſgow. 448.
27. * Act where Sir James Hope of Hopetoune accepted his charge, as one of the Senatours of the Colledge of Juſtice, and made faith, de fideli adminiſtratione. 448.
28. * Declaration in favours of the Relict of Doctor Sharpe. 448.
29. * Declaration anent thoſe who ſits in Seſsion. 448.
30. * Act in favours of Maſter James Campbell. 448.
31. * Commiſſion to the Committee of Grievances. 448.
32. * Remit Lady Cheſters. 448.
33. * Act anent quartering of Forces. 448. Jun. 1.
34. * Remit and citation in favours of the Pariſhoners of Culroſs. 448.
35. * Warrand to the Commiſſioners of the Theſaurarie to diſpoſe upon the Organs in the Chappell-Royall. 448.
36. * Commiſſion for rectifying the Valuations. 448.
37. * Warrand to the Magiſtrates of Aberdeen to examine William Bartoun. 448.
38. * Act in favours of the Earle of Wigtoun and his Tennents. 448. Jun. 5.
39. * Act concerning Doctor Sibbald. 448.
40. * Diſpenſation in favours of William Ruthven of Dunglas. 448.
41. * Warrand to James Campbell for paſſing of the Lord Chancellars ſecuritie. 448.
42. Act anent the aſſurance given by the Lieutenant Generall, to thoſe who did riſe in the late Rebellion in the North. 448. Jun. 7.
43. * Orders to Sir William Scott to deliver the Records of Parliament to the Lord Clerk Regiſter. 449.
44. * Act where Sir William Scot of Clerkingtoun accepted the charge, as one of the Senatours of the Colledge of Juſtice, and made faith, de fideli adminiſtratione. 449.
45. * Reference the Pariſhoners of Inuereske to the Committee for plantation of Kirks. 449.

1649, Jun. 7.
46. * Remit Donald Camrone to the Committee of Moneys. p. 449.
47. * Act in favours of the Shyreffdoms of Roxburgh and Selkirk. 449.
48. * Act for puting Donald and Thomas Macpherſons to libertie forth of the Tolbuith of Edinburgh. 449.
49. * Act and Commiſſion in favours of Elizabeth Howſtoun Lady Gargunnock. 449.
50. * Act in favours of Margaret Williamſon. 449.
51. * Recommendation Stephan Bryce, and Commiſſion granted anent Maſter Archibald Flemming. 449.
52. * Act in favours of Hew Campbell. 449.
53. * Act in favours of Colonell Ker, and Lieutenant Colonells Halkheid and Strachane 449.
54. * Act anent the Victuall to be put in Gariſons, and certaine other proviſion and furniture, and for payment of Lieutenant Colonell Menzies. 449.
55. * Act ordaining the Exchequer to ſit once every week the time of Parliament. 449.
56. * Act in favours of Alexander Stewart. 449.

Jun. 8.
57. Act prorogating the meeting for the viſitation of the Univerſity of S^t. Andrews. 449.
58. * Act ratifying the Commiſſion appointed for viſiting the Univerſity of S^t. Andrews. 449.
59. * Act concerning the Caſtle of Edinburgh. 449.
60. Act joyning Mr Robert Blair to the Subcommittee for viſitation of the University of St Andrews. 449.

Jun. 12.
61. Act anent the dayes of comprifings, and ſervices of Aires, when the ſame ſhall happen to fall upon dayes of publick humiliation or thanksgiving. 450.
62. Act anent execution of poynding to follow upon Sheriffs and other inferior Judges their decreets. 450.
63. * Act Margaret Levingſton contra Tennents. 450.
64. * Act in favours of the Laird of Leys Burnet. 450.
65. * Ratifications in favours of Maſter John Hay Commiſſar of Murray, of his gift, as Commiſſar of Murray. 450.
66. * Act in favours of Janet Fallowſdaill. 450.
67. * Act in favours of Maſter Alexander Trotter, Miniſter of Tweydmuire. 450.
68. * Recommendation in favours of James Wallace to the Committee of Moneys. 450.
69. * Act in favours of the Burgh of Rutherglen. 450.
70. * Act in favours of the Burgh of Tayne. 450.
71. * Remit Major Thomas Macbirnie and William Levingſtoun to the Lords of Seſſion. 450.
72. * Protection of David Murray Merchant. 450.
73. * Act in favours of Maſter Thomas Lumſdene. 450.
74. * Remit Maſter James Campbell of Moy. 451.
75. * Protection Laird of Minto. 451.
76. * Act appointing the Quorum of the Committee for rectifying the Valuations to conſiſt of three. p. 451.

1649, Jun. 12.
77. * Recommendation from the Parliament to the Exchequer, anent exporting of Victuall. 451.
78. * Commiſſion granted to a Select Committee anent the rates of Money, and inbringing of Bullion. 451.
79. * Recommendation to the Exchequer anent reſtraining of Victuall. 451.
80. * Warrand for printing of the Act of the laſt Seſsion of Parliament, for ſupply of the poore. 451.

Jun. 14.
81. Act of Approbation of the proceedings of the Commiſſioners who went to his Majeſtie. 451.

Report made to the Eſtates of Parliament of the Kingdom of Scotland by their Commiſſioners after their return from the Kings Majeſty out of Holland. 451.

The Papers interchanged betwixt His Majestie and the ſaid Commiſsioners as they were reported in Parliament. 453.

82. Act anent giving in of Quarterings. 459.
83. * Act ordaining Francis Ruſſell to be put to liberty forth of the Wardhouſe of Edinburgh. 459.
84. * Letter ſent from the Eſtates of Parliament to the Queen of Sweden certifying her of the late proceedings in England &c. 459.
85. * Remit Relict of umquhile Captain Macknachtone to the Committee of Money. 459.
86. * Protection the Laird of Barnes. 459.
87. * Act ordaining fourteen dayes pay to be payed to the Garriſons of Perth. 459.
88. * Act anent the Earle of Atholl his reſiding in Edinburgh. 459.
89. * Act ſuſpending the payment of the maintenance owing by the Country of Atholl, preceding the firſt of October, 1648. upon the conditions therein contained. 459.
90. * Act anent fortifying ſome convenient place in Stranaver, with power granted to the Earle of Sutherland for lifting of men for that effect. 459.
91 * Act in favours of the Heretors of Campſie and Moniaburgh. 459.
92. * Act and Precept in favours of Henry Dowglas. 459.
93. * Commiſſion to certain perſons to compare the maintenance with the pay of the Army. 459.
94. Act adding the Earle of Caſsills, Brodie, Libbertoun, and Alexander Jaffray to the Committee of Diſpatches. 459.
95. * Act adding the Earle of Caſsils, Brodie, Libbertoun, and Alexander Jaffray to the Committee of Valuations. 460.
96. Order anent Arms and Ammunition. 460.

Jun. 19.
97. Act in favours of the Town of Edinburgh, anent the Stipends of ſix Miniſters out of the Houſe Mails. 460.

1649, Jan. 19. 98. * Act in favours of the Laird of Lawers. p. 462.
99. * Act in favours of the Laird of Lawers. 462.
100. * Act in favours of the parish of Dumbartane anent the dividing of the parish of Kirkpatrick. 462.
101. * Remit in favours of Alexander Campbell of Pennymoir. 462.
102. * Reference in favours of Gland Paull to the Lairds of Pollok and Glanderstoun. 462.
103. * Act in favours of Master Robert Barclay contra Sir William Dick. 462.
104. * Act in favours of James Wallace. 462.
Jun. 21. 105. Act for purging the Armie. 462.
106. * Act in favours of the Kirk Session of Cramond. 464.
107. * Ratification of a contract betwixt the Minister and Heritors of the Parochine of Cramond. 464.
108. * Act in favours of Mr. Alex. Colvill. 464.
109. Act and Ratification in favours of the Ministers of the Province of Argyle. 464.
110. * Act and Declaration concerning the vacand stipends of the Province of Argyle. 464.
111. * Act and Commission for uniting and disuniting of the Kirks of the Province of Argyle. 464.
112. * Act in favours of Colonell Robert Home, sometime Governour of Inuernes. 464.
113. * Act anent the removing of Souldiers forth of the Burgh of S^t. Andrews. 464.
114. * Act in favours of Mr. James Campbell of Moy. 464.
115. * Protection in favours of the Laird of Merfingtoun. 464.
116. * Act in favours of the Town of Brichen. 464.
117. Commission for burning of Agnes Hunter and others. 464.
Jun. 22. 118. * Act in favour of George Leslie of that ilk. 465.
119. * Act in favours of the Presbyterie of Glasgow. 465.
120. * Act anent the Universty of St. Andrews, and Sir John Scot of Scotstarvet. 465.
121. * Act in favours of Captain Robert Hall. 465.
122. * Act in favors of Margaret Levingstoun. 465.
123. * Act in favors of the Marquis of Argyle. 465.
124. * Act in favours of the Lady Gorgunnuch. 465.
125. * Act in favours of the Lairds of Glenurquhie. 465.
126. * Commission to the Committee of moneys for searching of the Registers. 465.
127. * Act in favours of the Burghs of Anstruther and Pittinweyme. 465.
128. * Act in favours of the Burgh of Craill. 465.
129. * Act of addition to the revaluers of Perth shire. 465.
130. * Act in favours of the Laird of Halgrein. 465.
131. * Act and remit in favours of David Williamson. 465.
132. * Act and Ratification in favours of Mr. Robert Wilkie. p. 465. 1649, Jun. 26.
133. * Act in favours of Evan Macpherson. 465.
134. * Act in favours of the Laird of Cesnok, whereby he is appointed Justice Clerk, and one of the Senators of the Colledge of Justice. 465.
135. * Act whereby the Laird of Brodie is nominate to be one of the Senators of the Colledge of Justice. 465.
136. * Act in favours of James and Master David Hayes. 465.
137. * Act in favours of Gilian Wilkie. 465.
138. * Act in favours of Mr William Strauchan. 465.
139. * Act Elizabeth Forbes. 465.
140. * Act Jaffray Irvine. 465.
141. * Act in favours of Sir James Fraser and John Hay of Knockoudie. 465.
Letter from the Speaker of the House of Commons in England, with the Answer thereto. 466.
142. * Act in favours of the Tennents in Eingie and Strathbogie. 467. Jun. 27.
143. * Act in favours of Colonell John Cockburne late Governour of Stirling. 467.
144. * Act in favours of the shire of Forfar. 467.
145. * Act in favours of James Thomson. 467.
146. * Act anent the Kirk of Leith. 467.
147. Act of the establishment of the Army, and of the suspended maintenance in the Shires and Burghs. 467. Jun. 28.
148. Act in favours of the Town of Edinburgh anent the fortifications of Leith. 468.
149. Act in favours of Katherine Finlay. 468.
150. * Act in favours of Sir John Fraser. 469.
151. * Act in favours of Lieutenant Generall David Leslie, and Colonell Gilbert Ker his Officers. 469.
152. * Act in favours of the Towne of Perth. 469.
153. * Act anent the Laird of Wedderburne his 100. foot. 469.
154. * Act in favours of Master James Campbell Provest of Dumbartan. 469.
155. * Act in favours of the Lairds of Halhill. 469.
156. * Act anent the making up of an Garden at the south end of the Parliament house. 469.
157. Act in favours of Elizabeth Blyth. 469.
158. * Act in favors of Mr. Thomas Henderson. 470.
159. Act in favours of Margaret Menzies. 470.
160. Act anent Justices of Peace and their Constables. 470. Jun. 29.
161. Act concerning the deputation of Clerks to Commissioners and Committees of Parliament and touching the keepers of the Registers of Session. 471.
162. * Act and Commission for revaluation of the parish of Aire. 471.
163. * Act in favours of the Presbyterie of Linlithgow. 471.

1649, Jun. 29.
164. * Remit of a Quære anent the Marriage of Minors. p. 471.
165. * Act in favours of Colonell Gilbert Kers hurt ſouldiers. 471.
Supplication of Collonel Gilbert Ker, and Report of the Committee thereon. 471.
166. * Act in favours of the Heritours of Muckart and Doller. 472.
167. * Act in favours of John Stevinſon. 472.
168. * Act in favours of Fergus Grahame of Blackwood. 472.
169. * Act in favours of Patrick Gilleſpie. 472.
170. * Act in favours of the Presbyterie of Stranraver. 472.
171. * Act in favours of Hugh Wallace of Craigie. 472.
172. * Act in favours of John Stevin. 472.
173. * Act anent Francis and John Wilkieſons Commiſſar-clerks of Lauder. 472.
174. * Act in favours of Maſter James Campbell Comiſſar of Inuerneſs. 472.
175. * Act in favours of the well affected Heritors in Roſs and Inuerneſs. 472.
176. * Act in favours of the Laird of Leſlie Forbes. 472.
177. * Act in favors of the Laird of Buchanan. 472.
178. * Act in favours of John Jaffray. 472.
179. * Act in favours of Maſter John Hay Proveſt of Elgine. 472.
180. * Act whereby the Earle Caſsils accepted the the place of Juſtice Generall, and made faith, de fideli adminiſtratione. 473.
181. * Act in favours of the Towne of Anſtruther eaſter. 473.
182. * Act and diſpenſation to the Juſtiee Court to ſit at Jedbrugh. 473.
183. * Act in favours of Maſter Alex. Colvill. 473.
184. Ordour of Parliament for ony thrie of ſex auditouris to heir John Sempillis comptes and report. 473.
Jul. 2. 185. * Act for ſupplie of the well affected Officers in Ireland. 473.
186. * Act in favours of the Lord Lovat. 473.
187. * Act in favours of Margaret Forreſter. 473.
188. * Remit in favours of the Earle of Panmure. 473.
189. * Act anent the forefaltour of the Lairds of Lochbuy, and Captaine of Clanrannald. 473.
Jul. 5. 190. * Act in favours of John Kennedie of Halcis. 473.
191. * Act in favours of James Wallace. 473.
192. * Act and Ordinance for Printing ſome letters ſent from Holland and London. 473.
193. * Act in favours of Sir George Maxwell of Netherpollock. 473.
Jul. 6. 194. * Remit in favours of Maſter John Duncan Miniſter at Culroſs, and Maſter James Sibbald Miniſter at Torrie. 473.
195. * Remit in favours of the Laird of Greinocks Boat-men. 473.
196. * Act in favours of the Laird of Glenurquhie. p. 473. 1649, Jul. 6.
197. * Act in favours of Robert Bailzie of Jerveſwood. 473.
198. Act in favours of Major James Cockburne. 473.
199. * Act in favours of Judith Hyer. 474.
200. * Act in favours of Archibald Maxwell. 474.
201. * Act in favours of my Lord Blantyre. 474. Jul. 7.
202. * Act nominating Maſter James Prymroſe to be Clerk to the Privy Counſell. 474.
203. Act ratifying an Act of the Commiſsion for visiting the University of S^t. Andrews. 474. Jul. 8.
204. Act for redreſs of the complaints and grievances of the People, againſt Maſters, Collectors Officers and Souldiers. 475. Jul. 9.
205. Act for puniſhing the horrible crime of Inceſt with death. 478.
206. * Act in favours of the Lord Ogilvie. 479.
207. * Act in favours of Captain Robert Hall. 479.
208. * Act in favours of the Proveſt of Edinburgh and Sir John Smith. 479.
209. * Decreit againſt Sir Alexander Hammiltoun Generall of Artillarie. 479.
210. * Act for providing Meal and Coals to the Caſtles of Edinburgh, Stirling and St Johnſtoun. 479.
211. * Act in favours of John Boyll. 479.
212. * Act in favours of the Town of Anſtruther. 479.
213. * Act and nomination of Colonell James Weyms to be Generall of Artillarie. 479. Jul. 10.
214. * Act and Ordinance of giving ſurety for keeping ſtrengths and houſes within this Kingdome for the Parliament. 479.
215. * Act in favours of Gideon Jack. 479.
216. Act for proportionating the Levies of Horſe according to the Maintenance. 479. Jul. 12.
217. * Act in favours of William Gavie Skipper in Dyfert. 479.
218. * Act in favours of Margaret Williamſone. 479.
219. * Act and Ordinance for outreik of two ſhips to be a convoy for Merchants Ships. 479.
220. * Act in favours of John Inghram. 479.
221. * Act in favours of Lieut. Colonell John Erskine. 479.
222. * Act in favours of the Laird of Glenurquhie. 479.
223. * Act in favours of the Lord Marquis of Argyle, and Sir William Dick anent the Exciſe of Wines. 479.
224. * Act in favours of the Miniſter of the Kirk of Glencorſe. 479. Jul. 13.
225. Act in favour of Coll. James Weyms, anent the making of leather Ordinance, and ſeverall other Engines of War. 479.
226. Addition to the Committee of War of Linlithgow. 480.
227. * Act in favours of David Gourley. 480.

1649, Jul. 13. Repoirt of the Committie on the Supplication of David Gourlay burges of Dundie. p. 480.
228. Addition to the Committee of War of Lanark. 481.
229. Act in favours of Lady Langtoun Elder. 481.
230. * Act for demolifhing that part of the Fortification of the Caftle of Edinburgh called the Spur. 481.
Jul. 17. 231. * Act in favours of the Laird of Edgall. 481.
232. * Act in favours of the Shire of Bamff. 481.
233. * Act in favours of Lieut. Colonell Dowgall Campbell of Inueraw. 481.
Jul. 18. 234. Commiffion for the Committee of Eftates to fit at Perth. 481.
235. * Act in favours of Mr. William Sanders Minifter at Bellie. 482.
Supplication by Mr William Sanders minifter of Bellie. 482.
236. * Act in favours of the Parifhioners of Eafter Kilpatrick. 482.
Supplication of the parochineris of Eifter Kilpatrick. 482.
237. Act for reftraining the villanies of Hielanders and other loofe men within the fhire of Perth. 483.
238. * Act againft Factors and others in the Low Countreys, who furnifh armes and ammunition to Malignants. 483.
239. * Act in favours of Thomas Cunningham, Agent for the Kingdom of Scotland in the Low Countreys. 438.
240. * Act in favours of James Farqurfone of Inueray. 483.
241. Act in favours of Alexander Campbell of Pennimore. 483.
242. * Act in favours of the Lord Lovat and Sir James Frafer, and others within the fhire of Inuernefs. 484.
Supplicatione of Sir James Fraser to the honorabill Committie of billis in name of the Lord Louatt and frindis. 484.
Bill for the Laird of Caddell and utheris. 484.
243. Act in favours of diverfe gentlemen within the Shires of Invernefs Elgin and Nairne. 484.
244. * Act in favors of Major Quinten Muire. 484.
The Petitioun of Major Quintyne Mure fometyme toun major of Berwick. 484.
Jul. 19. 245. * Act and Warrant to his Majefties Advocate, and the Juftice Deputes to profecute criminall Letters, and minifter Juftice againft Margaret Henderfon. 485.
246. * Act in favours of Helen Gordoun. 485.
Jul. 20. * Proteftation Proveft of Edinburgh againft the Taxt Roll of the Burghs given into the Parliament by James Sword. 485.
247. * Act and Ordinance anent a band due to Patrick Wood by the late Marquis of Huntley. 485.
248. * Act in favours of the Shire of Clakmannan. 485.
249. * Act in favours of the Earl of Sutherland. p. 485. 1649, Jul. 20.
250. * Protection in favours of the Laird of Craigie Wallace. 485.
251. * Act in favours of the Committee of War of Linlithgow fhire. 485.
252. * Act and nomination of the Committee of War of the Steuartrie of Kirkcudbright. 485.
253. * Commiffion to John Gillefpie Skipper, for purfuing the Irifh Friggots and other enemies of this Kingdome by fea. 485. Jul. 23.
254. * Act where Alexander Brodie of that ilk, having accepted the place of one of the Senatours of the Colledge of Juftice, made faith de fideli adminiftratione. 485.
255. * Act anent James Roffe of Balneil, and the Committee of the fhire of Wigtoun. 485.
256. * Act in favours of the Earle of Cafsils and Colonel James Weym. 486. Jul. 24.
257. Commiffion to fome Gentlemen of the fhire of Perth, Stirling, and Clackmannan, to keep a guard upon their owne charges. 486.
258. * Act anent the cafual rent of Clackmannan and Stirling fhires. 486. Jul. 26.
259. * Act for deducing the Bifhoprick of Roffe and the Iles from the totall of the fhire of Inuernefs in payment of their maintenance. 486.
260. * Act anent the producing of the valuations of the fhire of Fyfe. 486.
261. * Act anent the valuations of the fhire of Air. 486.
262. * Act anent the valuations of the fhire of Wigtoun and Steuartrie of Kirkcudbright. 486.
263. * Act anent the Laird and Lady Craigie Wallace. 486.
264. * Act and Ratification of the localitie of the Minifter at the Kirk of Kilpatrick his ftipend. 486. Jul. 27.
265. * Act in favours of the Laird of Glenurquhie and Auchinbreck. 486.
266. * Act and protection in favours of the Laird of Glenurquhie. 486.
267. * Act in favours of the fhire of Stirling. 486.
268. * Act in favours of the Earle of Dumfermling. 486.
269. * Act of approbation of an new roll of maintenance, to be payed by the fhires untill new valuations be brought in to the Parliament or Committee of Eftates. 486.
270. * Act for nomination of fome perfons in everie Presbyterie, to fit upon the Commiffion of Grievances. 486.
271. * Act and licenfe to the Earle of Home to repaire to Edinburgh. 486.
272. Act in favours of Katharine Finlay. 486.
273. * Act and exemption to Alexander Ogilvie of his mortified lands of Achindaik. 487.
274. * Act and Commiffion for vifitation of the Univerfity of St Andrews. 487. Jul. 30.

1649, Jul. 30. 275. * Act and ratification of the Regiſter of the Commiſſion for viſitation of the Univerſitie of S^t. Andrews. p. 487.
Report of the Committee of Parliament appointed for reveiſing the Register of the Commiſsion for Visitation of the Univerſity of St Andrews. 487.
276. * Act in favours of Maſter William Dowglas Miniſter. 487.
Supplicatione of Mr William Dowglas lait Miniſter at Aboyne. 487.
277. Paſſe to Major Generall Midletoun. 488.
278. Act in favours of John Gordon. 488.
Repoirt of the Committie of Billis on the Supplicatioun of Johne Gordone. 488.
279. * Act in favors of Andrew Boyd in Loak. 488.
280. * Act anent the ſhires of Bamff and Aberdeen. 488.
281. * Act in favours of Duncan Forbes of Culloden. 489.
Supplication of Duncane Forbes of Cullodin. 489.
Jul. 31. 282. Act anent the localitie of the Forces Horſe and Foot within this Kingdom. 489.
283. * Act in favours of Maſter Alexander Ferres Miniſter at Crathie. 491.
284. * Commiſſion for viſitation of the Univerſity of Edinburgh. 491.
Liſt of the Viſitours of the Colledge of Edinburgh. 491.
285. * Commiſſion for viſitation of the Univerſity of Aberdeen. 491.
Liſt of the Viſitours of the Colledge of Aberdine. 491.
286. Commiſſion to certaine perſons for apprehending ſome Witches in Inverkeithing. 492.
287. Exemption to Agnes Beatoun. 492.
288. Act anent the diſmiſsing of 200 men under Colonell Forbes. 492.
289. Act for ſetting John Leith of Harthill at libertie. 493.
290. Act and nomination of John Kniblo to be Commiſſar of the Artillarie. 493.
291. * Act in favours of James Hammiltoun late Commiſſar of the Artillarie 493.
Petition of James Hammiltoun Commiſsar to the Artiliarie. 493.
292. Act appointing the places for ſearching and poynding of movables, before compryſing againſt the Earle of Seaforth to be Braan and Chanorie of Roſs. 493.
Aug. 1. 293. * Act in favours of Mr Robert Farquhare. 494.
294. * Citation in favours of John Stewart of Coldinghame. 494.
295. * Act in favours of Maſter Thomas Ireland Miniſter at Weym. 494.
296. * Act in favours of John Murray of Brughtoun. 494.
297. * Act in favours of Fergus Grahame of Blaakwood. 494.
Aug. 2. 298. * Act and warrand for ſecuriug Robert Craig ſuſpect of theft. 494.
299. * Act and warrand to the Proveſt, Bailyies and Counſell of Aberdeen, to try and miniſter juſtice upon Gilbert Simpſon. p. 494. 1649, Aug. 2.
300. * Act in favours of the Laird of Glenurquhie. 494.
301. * Act in favours of Duncan Forbes of Culloden. 494.
302. * Act in favours of the Towne of Edinburgh anent the ſtones of the fortification called the Spur. 494.
303. * Act in favours of Maſter George Clerk Miniſter. 494.
304. Act anent the removall of the Forces of this Kingdom to their localities, and anent tranſient quarters. 495. Aug. 3.
305. * Act remitting all Bills to the Committee of Eſtates. 495.
306. * Precept for ſummoning certaine Hielanders and others to compeer before the Committee to ſit at Perth. 495.
307. * Act in favours of John Mackrannald of Moydart. 495.
308. * Act in favours of the Widowes and lame Souldiers in Perth ſhire. 495.
309. * Commiſſion to Mr David Weyms of Balfarge, for collecting the Maintenance of Auguſt and September, 1648. and months preceding. 495.
310. * Approbation of ſome articles anent the Generall Commiſſars accompts. 495.
311. Act and Commiſsion for a new Valuation. 495. Aug. 4.
312. * Act in favours of Sir Alexander Hammiltoun and Sir James Fraſer. 498.
313. * Act in favours of Colonell James Weymes Generall of Artillarie. 498.
314. * Act in favours of the Earle of Sutherland and Sir Robert Gordon of Embo. 498.
315. * Act diſcharging Chalmerlanes and others to be upon the Commiſsion for revaluation. 498.
316. * Act in favours of the Laird of Ceſnock. 498.
317. * Act in favours of John Dumbar of Knockſhannoch. 498.
318. Act for borrowing of money from one perſon for the ſecond time. 498.
319. Act anent the Age of Noblemen to ſit in Parliament. 498. Aug. 6.
320. Act anent the levie of Horſe and Foot within this Kingdom. 498.
321. Act of Maintenance for the Moneth of July. 499.
322. Act of Maintenance for the moneths of Auguſt, September and October. 501.
323. Act for continuing the dyet of the report for purging of the Armie. 502.
324. Act diſpenſing with the not production of a band granted by the late Marquis of Huntlie to the Hoſpitall of Aberdeen, debito tempore, conform to the Act of Parliament. 502.
325. * Act in favours of the Lairds of Glenurquhy and Achinbreck. 502.
326. * Act in favours of the Laird of Lawers. 502.

1649, Aug. 6.
327. * Remit to the Committee of Eſtates anent the victuall to be advanced by Sir William Dick, Sir John Smith, and others. p. 502.
328. * Addition to the Committee of valuations in Mid Lothian and Lanerk ſhires. 502.
329. * Act in favours of Coll. John Innes. 502.
330. * Act in favours of Helen Erskine. 502.
331. * Act in favours of Mr. Rodger Mowat. 502.
332. * Act in favours of George Forbes of Allathane. 502.
333. * Act in favours of Robert Ker of Dalcove. 502.
334. * Act in favours of John Stewart of Coldingham. 502.
335. * Act in favours of Sir James Hope of Hoptoun. 502.
336. * Act in favours of James Campbell of Claghlie. 502.
337. * Act in favours of the Iriſh Officers. 502.
338. * Commiſſion to Captain Robert Hall, and the Frigot of Greinock. 502.
339. * *Act in favours of James Fraſer.* 502.
Supplication of the Commiſſioners of the ſchires of Caithneſs and Roſs. 502.
Aug. 7. 340. Commiſſion for the Committee of Eſtates. 503.
341. Act continuing all Commiſsions granted by the laſt Parliament. 504.
342. Act for reducing the annuals to ſix for the hundred. 504.
343. Act Salvo jure cujuſlibet. 504.
344. Act continuing the Parliament unto the firſt Thurſday of March 1650 years. 504.
345. * Act and Warrant for tryall of the torture of Witches. 505.
346. * Act in favours of the well affected Officers fled out of Ireland. 505.
347. Act appointing Mr. George Winrame of Libbertoun one of the Senators of the Colledge of Juſtice to repaire to the Kings Majeſtie &c. 505.
Letters from the Committee of Eſtates to the Kings Majeſtie. 505.
Inſtructions to the Lord Libbertoun. 506.
348. * Addition of an 100l. to the Act of Localitie for payment of Colonell Pitſcotties Regiment. 506.
349. * Remit to the Exchequer concerning moneys, and bullion. 506.
350. * Remit anent the Earles of Crawford, Lothian, and Sir William Dick. 506.
351. * Act in favours of Stirling and Clakmannan Shires. 506.
352. * Act for three Committees of War of Perth ſhire, to meet together once in the twenty dayes at Perth. 506.
353. * Addition to the Committee of Eſtates. 506.
354. * Act appointing the Commiſsion for plantation of Kirks to ſit down upon the firſt of November next. 506.
355. * Act for adding of John Dickſon of Hartrie to the Commiſſion for plantation of Kirks. 506.
356. * Act and nomination of John Dickſon of Hartrie to be one of the Senators of the Colledge of Juſtice. p. 506. 1649, Aug. 7.
357. * Act in favours of Sir John Cheiſly of Karſwell Knight. 506.
358. * Act in favours of Maſters Adrian and Cornelius Lampſines reſidents in Midlebrugh and Fluſhing. 506.
359. * Act and Inſtrument taken by Arthur Erskine of Scotſcraig upon the deliverie of the Honours. 507.
360. * Act in favours of Maſter David Hay of Woodcockdail, one of the Clerks of Seſsion. 507.
361. * Act in favours of Alexander Ogilvie. 507.
362. * Act diſcharging the Committee of Eſtates to give exemptiones of Levies or Maintenance. 507.
363. * Act and addition to the Committee of War of Eaſt Lothian. 507.
364. * Act and nomination of the Committee of Inuerneſs ſhire. 507.
365. * Act and Commiſsion to the Committee of Moneys and Exciſe. 507.
366. * Ratification to Sir John Scot of Scotſtarvet Knight, one of the Senatours of the Colledge of Juſtice of his infeftment of the Iſle of Inchkeith. 507.
367. * Ratification in favours of Major Andrew Abernethie of his gift of the Commiſſar of Lauder. 507.
368. * Ratification in favours of Maſter Thomas Nicolſon his Majeſties Advocate, of his act of admiſsion and penſion granted to him. 507.
369. * Ratification of the decreet of forefaulture againſt Murdoch Macklean of Lochbouie, Duncan Stewart younger of Appin, Alexander Stewart of Invermackhebell, and Hector Macklean of Kingerloch. 507.
370. * Ratification in favours of M[r] John and M[r] David Hays of their gift granted to them by the Lord Clerk-Regiſter of their places and offices, as Clerks to the Seſsion and Parliament. 507.
371. * Ratification to James Wright of his gift granted to him of the Clerkſhip of the Commiſſary of Lauder, by Andrew Abernethie Commiſſar there. 507.
372. * Ratification in favours of Maſter James Scot of his gift granted to him by the Lord Clerk-Regiſter, as one of the Clerks of Seſsion and Parliament. 507.
373. * Ratification in favours of Maſter James Balfoure of his gift granted to him by the Lord Clerk-Regiſter, as one of the Clerks of Seſsion and Parliament. 507.
374. * Ratification of the Act and report of the viſitors made in favours of Sir James Hope of Hoptoun, one of the Senatours of the Colledge of Juſtice, anent the mending of the high wayes betwixt the Leadhill and Leith. 507.

1649, Aug. 7.
375. * Ratification of the gift granted by the Lord Clerk-Regiſter in favours of Mr John Kinneir of his place and office, as Clerk to the Bills. p. 507.
376. * Ratification in favours of Andrew and Mr John Hays, of their Rights and Infeftments, of the lands and Barronie of Hayſtoun, Crocekirklands and others therein contained. 507.
377. * Ratification to Sir Daniel Carmichael Lord Theſaurer Depute of his gift and penſion aſsigned to him by Sir James Carmichael his Father. 507.
378. * Ratification in favours of Andrew Agnew of Lochnaw of the Sheriffhip of Wigtoun. 507.
379. * Ratification in favours of Sir Archbald Johnſtoun of Warieſtoun, Clerk of Regiſter, of his gift of Clerk of Regiſter. 507.
Supplication of Sir James Fraser of Lovat. 508.
Supplication of Johne Sempill of Staniflet. 508.
Supplication of John Gilchrist. 508.
Supplication of Alexander Mackenzie of Coulcoy and of Coline Mackenzie his son. 509.
Supplication of Mr Robert Farquhar. 510.
Supplication of Beatrix Home wedow in Dunce. 510.
Supplication of Agnes Stewart. 511.
Report anent the ſupplication of Agnes Stewart aganis James Stevinſone hir huſband &c. 511.
Report of the Committie of Billis on the ſupplication of Andrew Agnew appeirand of Lochnaw Shireff of Galaway. 512.
Report of the Committee of Bills on the Supplication of John Craufurd of Camlarge. 512.

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PARLIAMENTUM APUD EDINBURGH,

VII DIE MARTII, A.D. M,DC,L.

1650, Mar. 8.
1. * A Letter from the Parliament to the Kings Majestie. 513.
2. * Commiſsion to John Earl of Caſsiles William Earle of Louthian and others to repaire to the Kings Majestie at Breda to treat with his Majestie. 513.
3. * A Letter from the Parliament to the Prince of Orange to move the King to satisfye their juſt deſyres &c. 513.
4. * Act containing directions given to the Committee of Estates anent their giving further Instructions to their Commiſsioners that goe to the King. 513.
5. Inſtructions from the Parliament to the Commiſsioners goeing to the Kingis Majestie. 513.
6. * Ane letter of credit given to the Commiſsioners imployed to goe to his Majestie to borrow beyond seas upon the creditt of this kingdome the sum of three hundred thouſand pounds. 514.
7. * Approbation to my Lord Libertoun of his cariage in his last negotiation towards his Majesty. 514.
8. * Act continuing the mayntenance of the Army from the first of November 1649 to the first of June 1650. p. 515.
9. Act appoynting Archibald Lord of Lorne to be one of his Majestys Privie Counſall. 515.
10. Act discharging borrowing of money. 515.
11. * Act anent the continuation of the Parliament to the 15th of May nixt to come. 515.

1650, Mar. 8.

. . . . . .

PARLIAMENTUM APUD EDINBURGH,

XV DIE MAII, A.D. M,DC,L.

1. * Act anent the electione of the Earl of Lowdoun Lord heich chancelar of this realme, to be preſident for this ſeſſione of parliament. 515. Maii 15.
2. * Inſtrumentis takin be the Lord Marquis of Argyll wpoun the productione of the honoris in face of parliament &c. 515.
3. * Commiſſione for the priſoneris proceſſis fynes and foirfaultouris. 515. Maii 16.
4. * Commiſſione to the Comittee of diſpatches. 515.
5. * Act prorogating the committee of excyſe. 515.
6. * Act ordaneing the ſentence and dome of foirfaultour to be putt in executione aganes James Grahame, and for tryell of the remanent captives. 515. Maii 17.
7. * Ordour givin to the magiſtratis of Edinburgh to receave James Grahame and the remanent priſoneris from Coll. Campbell of Laweris at the water gaitt, &c. 515. Maii 18.
8. * Act conteaning demandis maid to his Majeſtie. 516.
9. * Act conteaning the declaratione and judgment of parliament concerneing the ſenſe and meaning of the artickles of invitatione maid to his Majeſtie. 516.
10. * Inſtructiones from the parliament to the Commiſſioneris who went to his Majeſtie. 516.
11. * Act ordaneing thir wordis (according to the ſolemne league and covenant) to be eikit to the oath of alledgance. 516.
12. * Act anent the tyme and maner of the executione of James Grahame. 516. Maii 20.
13. * Commiſſione for cognoſceing of paperis givin in aganes witches. 516.
14. * Act ordaneing the exchekquer, the iuſtice courtis, and the comittees of warr in the feverall ſhyres, to ſitt notwithſtanding of the ſitting of the parliament. 516.
15. * Letter from the parliament to the Livetennent generall. 516.
16. * Letter from the parliament to the Commiſſionaris. 516.
17. * Ordouris for Coll. Campbell of Laweris his regiment to go to fyff, and Coll. Arnotis troup to go further north. 516.

1650, Maii 20.
18. * Inſtructiones from the parliament to the Laird of Scottiſcraig. p. 516.
19. * Letter from the parliament to Sr Johne Smyth for making matrices for coyneing of money and in his abſence to the conſervator. 516.
20. * Ordouris to the Proveiſt of Edinburgh to haue in readienes a man for carieing of letteris to the Commiſſionaris to Holland and to provyd for his charges. 516.
21. * Act and Commiſſione in favouris of Mr James Moriefone miniſter. 516.
22. * Ordouris to the toun of Edinburgh to pay 6s. per diem to ſtranger officiaris priſoneris and they to haue their releiff. 516.
Maii 21. 23. * Act anent his Majeſties accommodatione in the north. 516.
24. Act in favouris of the Lord Angus and Sir Robert Murray anent the priſoneris in the Canongait. 516.
25 * Letter from the parliament to the King. 517.
26. * Ordour to the Laird of Nidderie to give 300 merkis to John Denholme to be given to Captain Blek. 517.
27. * Comiſſione for regulating the quarteringis. 517.
28. * Commiſſione for billis. 517.
Maii 22. 29. * Warrand to the ſeverall ſhireffis to affiſt the tranſporting of Mr William Lumſdeane and Thomas Menzies from Abirdein to Edinburgh. 517.
30. * Act in favouris of the Laird Houſtoun. 517.
Maii 23. 31. * Letter from the parliament to the Liveteant Generall. 517.
32. * Commiſſione for thinking wpoun a way of ſatiſfieing of the Laird Affint, &c. and rewarding of the ſouldiouris obteaneris of the laitt victorie in the north. 517.
33. * Commiſſione for conſidering of the officiaris and the way of interteanment of the Kingis hous. 517.
34. * Commiſſione for overturis and lawis. 517.
35. * Precept in favouris of Jeane Ogilby to the theſaurar of the exciſe. 517.
36. * Act diſchargeing quarteringis wpoun the toun of Linlithgow till their ſupplicatione be reported from the Comittee. 517.
37. * Act in favouris of George Porterfeild Proveſt of Glaſgow. 517.
Maii 25. 38. * Ordouris for the Earl Callander to go furth of the Cuntrie. 517.
39. * Warrand to the toun of Edinburgh for interteaning of Coll. Gray and otheris. 517.
Maii 28. 40. * Act and decreet aganes Sr John Hurrie. 517.
41. * Act and decreet Capt. John Spottiſwood. 517.
42. * Act in favouris of Capt. Andro Affleck. 517.
43. * Commiſſione for conſiddering the expediencie of taking of oathes in materis of excyſe and cuſtome. 517.
Maii 29. 44. * Act in favouris of Mrs James Moriefone and Patrik Waterſtoun miniſters of Orkney. 517.
45. * Precept for Eliſabeth Blyth. p. 517.
1650, Maii 29.
46. * Act ordaneing Commanderis to be comptable for ſouldiers horſes and armes. 517.
47. * Letters from the parliament to the Liveteant Generall and Generall Maior. 517.
48. * Ordouris for the forces who ſhall happin to be lying in thoſe partis of the north whair the kingis Majeſtie ſhall happin to land. 517.
49. * Act approveing the warrand givin be the Marquis of Argyll to bring Captain Hallis ſhip to Leith harburie. 517.
50 * Ordour anent the diſpoſeing of the bark takin at Inuernes. 518.
51. * Act for adjurneing the ſeſſion till the firſt of Julij. 518.
Maii 31. 52. * Declaratione in favouris of the Erle of Erroll anent the foirfaultrie of the Laird of Dalgetie. 518.
53. * Act in favouris of William Roſs and David Drumond. 518.
54. * Act anent Iſſobell Alexander. 518.
55. * Act continewing the monthlie mentenance for the month of Junij 1650. 518.
Jun. 1. 56. * Act for ordoring of the hous. 518.
57. * Commiſſione for the Generall Commiſſaris effairis. 518.
58. * Commiſſione for valuationes. 518.
59. * Act for liberating Captain Houſtoun. 518.
Jun. 4. * Proteſtatione Lord Borthwick contra Lord Cathcart. 518.
* Proteſtatione Lord Cathcart contra Lord Borthwick. 518.
60. * Act continewing the executione of the Laird of Dalgetie till fryday nixt. 518.
61. * Act in favouris of the Laird Laweris, Doctor Sharpes wyff, and Mr James Campbell proveſt of Dumbartan. 518.
62. * Act in favouris of Andro Love. 518.
63. * Act in favouris of the Laird Swyntoun. 518.
64. * Act reſtrayneing certane perſones from coming within the cuntrie during the parliamentis pleaſur. 518.
65. * Act adding certane perſones to the Committee of diſpatches. 518.
66. * Ordour for delyverie of the tuo peices that ar in the bark whiche cam from Inuernes to the Lieutenant Generall and for putting of the amonitione in the magazen hous. 518.
67. * Ordour for delyverie of the trunck and wreattis whiche cam from Orkney to the Clerk regiſter. 518.
68. * Act and decreet aganes Coll. William Sibbald. 518.
69. * Warrand to Maior Macbirny anent the tranſporting of the cannon and amonitione whiche wer in Dumfreis. 518.
70. * Act anent the delyverie of the armes delyvered be Weſtquarter to the toun of Drumfreis to any haveing warrand from the Committee of war of Stirling. 518.

1650, Jun. 4.
71. * Act for confyneing of William Sincklar John Cunynghame and James Innes and putting thame to libertie furth of the wardhous of Edinburgh. p 518.
72. * Act in favouris of John Cokburne. 518.
73. * Protectione Laird Glenurquhy. 518.
74. * Act in favouris of George Douglas. 519.
75. * Act adding the Laird Ceſnock to the committee for the Generall Commiſſaris effairis. 519.
Jun. 6.
76. * Paſs to the Dutche priſoneris. 519.
77. * Ordour for removeing Sr Charles Erſkynes and Livetenant Colonell Bruce troupes and the Marquis Argyllis foott. 519.
78. * Act in favouris of Maior William Roſs of Grunyaird and Johne Roſs of Little tarrell. 519.
79. * Act adding the Comitteeis of proceſſis to the Comittee of fynes and foirfaultouris, and making of both one. 519.
80. * Act in favouris of the relict of Doctor Sharp. 519.
81. * Citatione granted aganes Naper and Roſs to compeir befoir the parliament. 519.
82. * Ordour for quartering Rootmaiſter Montgomrie and Livetenant Colonell Halkheidis troupes. 519.
83. * Act and decreet aganes Captain Alexander Charteris. 519.
84. * Ordour and warrand givin to Colonell Pitſcottie to putt Inchbrakie and Gorthie to libertie. 519.
85. * Act concerning William Blair. 519.
86. * Protectione Dumbar of burgie. 519.
87. * Act in favouris of the Laird Moncreiff, bathaiok and utheris in Perthſhyre. 519.
88. * Act for delyverie of four Engliſh priſoneris to Sr Robert Murrey. 519.
Jun. 8.
89. Act in favours of Alex. Erle of Eglintoun and Coll. Robert Montgomrie his ſone. 519.
90. Act in favours of Sr David Home of Wedderburne. 520.
Proteſtatione Laird Buchannan aganes the tuo actis forſaidis. 520.
Proteſtatione Lord Advocatt aganes the Laird Buchannan and the former tuo actis. 520.
91. * Act in favouris of the relict and childrein of Mr George Gilleſpie. 520.
92. * Warrand to the Liuetenent Generall anent the quartering off troupis for a randevouſe to be had wpoun fix houris. 520.
93. * Act ordaneing the troupes to be readie wpoun fyve dayes adverteiſment from the Generall Muſtermaiſter and the foot wpoun ten dayes, &c. 520.
94. * Ordour for quartering Major Bryce Cochranes men in Leith. 520.
95. * Commiſſione anent thoſe who ar licenciat to fitt in parliament. 520.
Jun. 11.
96. * Act in favouris of Johne Hamiltoun of Murehous. 521.
97. * Act in favouris of the Laird Reidhous. 521.
98. * Act in favouris of Simeon Anderſone. p. 521.
1650, Jun. 11.
99. * Act in favouris of the ſhirefdome of Wigtoun and ſtuartrie of Kirkcudbright. 521.
100. * Act in favouris of the poor priſoneris in Angieris. 521.
Jun. 12.
101. * Citatione granted at the inſtance of the Counteſſe of Diriltoun. 521.
102. * Act in favouris of Mr Harie Fowles. 521.
103. * Remitt Lilias Sympſon. 521.
104. * Protection Mr Robert Logan. 521.
105. * Act anent the quartering and payment of horſe and foot. 521.
106. * Act for liberation of Coll. Arthur Forbes. 521.
107. * Letter frome the parliament to the Leiutenent Generall. 521.
108. * Warrand to the proveiſt and bailyeis of Edinburgh to put 4 Ingliſh priſſoners to libertie. 521.
109. * Act anent the tyme quhen the troupswer firſt made vp and brocht to ane randeſvous. 521.
110. * Act in favours of Mr Robert Ferquhar. 521.
111. * Act ading the Lairds of Ceſnok and Kerſwall to the committie of quarterings. 521.
112. * Act and decreet againes Alexr Charters. 521.
113. * Act anent thois foot that comes to the toun of Leith. 521.
Jun. 14.
114. * Act in favours of Mr Robert Ferquhar anent the excyſe beyond Tay. 521.
115. * Commiſſion to the ſchirref of Tivydaill concerneing William Falconer. 521.
Jun. 15.
116. * Ordour for Alexander Monro to go out of the cuntrie. 521.
117. * Ordour for Valenus Swan Robert Touch and uthers to remove out of the cuntrie. 521.
118. * Act in favours of Walter Quhytfoord Capitane Robert Stirling. 521.
119. * Act anent Mr Androw Sandelands Mr James Kid and M Baldro anent putting of them to libertie. 521.
120. * Protection grantit to certane of the name of McKenzie. 521.
121. * Remitt to the committie of proceſſis and fynes anent the foirſtaling of mercattis and carying of victuall furth of the kingdome. 521.
Jun. 18.
122. * Warrand to inferiour Judicatoreis to fitt notwithſtanding of the fitting of parliament. 521.
123. * Act joyning the comitteis of billis and overtours togidder. 521.
124. * Act in favours of Gilbert Kennedy of Dungar. 521.
125. * Ordour to my Lord Scottiſtarvett for keiping out of any infeftmentis that paſſe the names of thois quho ar debared from comeing to the cuntrie. 522.
126. * Act adding Ceſnok and uthers to the committie for the generall commiſſars accomptis. 522.
127. * Act and remitt in favours of Alexander Jaffray. 522.
128. * Ordour gevin for carying of proviſion to the caſtle of Stirling. 522.
Jun. 19.

1650, Jun. 19.
129. * Ordour gevin to Sr William Dick to lay in certane meall in ſeverall places. p. 522.
130. * Act anent quartering of the forces horſe and foot in the ſchyres. 522.
131. * Ordour to Sr James Stewart and Sr John Smith to lay in meall in the caſtle of Edinburgh. 522.
132. * Act anent the Laird of Murtle. 522.
Jun. 20. 133. * Act continuing the monthlie maintenance for the month of Julij. 522.
Report of the Committie of the Conference anent the removall of the troupes, and Inchgarvie, and the act of levie, furniſching of meill to Gariſones and proroging the maintenance for Julij. 522.
Jun. 21. 134. * Act in favours of the Laird of Dundas and Maior Abernethie. 523.
Paper from the Lieutenant-general. 523.
135. Three Letters from the parliament to William Lenthall the Lord Fairfax and Sr Arthour Haſelrig. 523.
136. * Act in favours of the Laird of Affint and Miſtris Gilleſpie. 525.
137. * Act in favours of Jonet Robertſone. 525.
138. * Act of tutorie in favours of the Erle of Caithnes. 525.
139. * Act in favours of the Laird of Cambo. 525.
140. Commiſſion for purgeing of the Armie. 525.
Jun. 22. 141. * Ordour for Colonell Gray and Captain Jonſtoun to go to England with the letteris from the parliament. 526.
142. * Ordour for the Laird Nidderie to tak courſe for ſending away the letteris with ane ordour for repayment of his ſuperexpenſſis, &c. 526.
143. * Act continewing the Earl of Levin Lord Generall his excellencie in his charge. 526.
144. * Act in favouris of Maior Weir. 526.
145. * Act declaring that non of the officiaris of the armie ſhall be wpone the Comittee for purgeing the armie. 526.
146. * Act adding certane perſones to the Comittee for the conference. 526.
Jun. 24. 147. * Liſt of Rootmaiſteris and Captanes of the Levie. 526.
148 * Warrand givin to the Livetenent Generall to leave a troup in the north for tranſporting the Vicount of Frendraucht. 526.
Jun. 25. 149. * Commiſſione granted for doeing juſtice wpon William Fraſer. 526.
150. Act for a Leavie of Horſe and Foot within this Kingdom, for their neceſſary defence. 526.
151. Act for putting the act of Levie in executione in the ſeverall ſhyres. 528.
152. * Act of the Commitee of war in the ſtewartrie of Kirkcudbright 528.
153. * Ordours gevin to the Lord Synclars factours to furneis coillis to the caſtle of Edinburgh. 528.
154. * Act adjurneing the fitting of the ſeſſion to the firſt of November. 528.
155. Act anent the delyverie of the Lady Lus hir chartour kiſt. 528.
156. Act anent the delyverie of the evidentis of Mugdock to the Marquis of Argyle. p. 529. 1650, Jun. 25.
157. * Protection to George Hay of Murieſauld. 529.
158. * Act diſchargeing the tranſporting of horſe foorth of this cuntrie. 529 Jun. 26.
159. Act reponing Capitane William Ballantyne to his charge. 529.
160. * Commiſſion for doeing juſtice upone George Drummond. 530.
161. * Remitt Miſtris Anna Lyone to the committié for the exchecker. 530.
162. * Remitt of the ſupplication of the commiſſionars of the ſchyre of Aberdein to the committie of war of the ſamen ſchyre. 530.
163. * Letter from the parliament to the eſtates of Vinneis. 530.
164. * Act anent the payment of four ſcore thowſand merkis be the burrowes. 530.
165. * Letter frome the parliament to the king of France anent the new impoſition vpone the ſalmond and herring. 530. Jun. 27.
166. * Liſt of horſe and foot for the Levie. 530.
167. * Ordour concerneing the liſt of the horſe of the ſtewartrie of Kircudburgh. 530. Jun. 28.
168. * Licence grantit to Walter Quhytfoord and Gray and Swan to remain in the cuntrie fyftein dayes efter the tyme appoyntit for thair removeall. 530.
169. * Act in favors of the Laird of Buchannan. 530.
170. * Act in favours of the Laird of Affint. 530.
171. * Recommendatioun in favours of the proveiſt of Edinburgh to the committie of fynes and forfaultours. 530.
172. * Recommendatioun in favours of the commiſſionars of Ros and remanent gentilmen quho wer at the fight and did oppoſe James Grahame to the committie of fynes. 530.
173. * Act in favours of Lowes. 530.
Report from the Committee of Conference. 530.
174. * Warrand gevin to the magiſtratis of Edinburgh to breck vp the ſeller door quhair the armes which wer at Drumfreis lyes and to tranſport them to the caſtle of Edinburgh. 531. Jun. 29.
175. Act anent runawayes. 531.
176. * Repreſentation be the Lord regiſter to the parliament of the condition of the caſtle of Edinburgh that it micht be takin in conſideration in regaird that the haill regiſters which concernis the kingdome ſo heighlie ar lying thair that thai may be made ſecure. 531.
177. * Remitt concerneing the Lairds of Morphie and Meldrum to the comittie of billis with power to thaim to determine thairin. 531.
178. * Act adding the Lords Brodie and Libbertoun to the comitteis for the conference and for the kings hous 531. Jul. 1.
179. * Commiſſion concerning Walter Cochrane. 531.
180. * Ordours to the theſaurar of excyſe for payment of fyve hundreth merkis for tranſporting of armes from Leith to Stirling. 531. Jul. 2.

1650, Jul. 2.
181. * Act declairing the nomination in parliament of any officiars not to infer any exemption frome being lyable to the committie of purgeing. p. 531.
182. * Declaratioun of the parliament concerneing any difference amongſt the rootmaiſters which ar within the localitie of the generallis regiment anent the comand. 531.
183. * Liſt of the officiars for the horſe. 531.
184. * Liſt of the officiars of foot. 531.
185. * Act anent the fortifieing of Leith. 532.
Jul. 3.
186. * Act in favours of Leivtennent Colonell Halkheid and Leiu[t] Colonell Strauchan. 532.
187. * Act in favours of William Glendinning of Gelſtoun. 532.
* Proteſtation be the Lord Generall anent the caſtle of Edinburgh. 532.
* Proteſtation Sir Charles Erſkein anent the caſtle of Dumbartan. 532.
* Proteſtation Lord Regiſter anent the caſtle of Edinburgh in reſpect of the regiſters being within the ſame, &c. 532.
Report from the Committee of Conference. 532.
188. Act for putting the Kingdome in a Poſture of Defence, to joyn with the preſent ſtanding Forces, and a new Levy. 532.
189. * Act ordaining a leivgaird of horſemen for his Majeſties perſone And ordaneing the Earl of Eglentoun to be commander thairof. 535.
190. * Act ordaneing Sir William Balfour to have the charge of natives or ſtrangers volunteirs againes quhom thair is no exception. 535.
191. * Commiſſion anent the ſetiling of his Majeſteis rentis. 535.
192. * Act in favours of the Engliſh quho have bein faithfull in the covenant. 535.
193. * Liſt of the Colonellis of foot quho ar to be put out for obedience of the act of poſtour. 535.
Jul. 4.
194. Act for ſecureing the harburie of Leith. 535.
195. * Warrand for ſecuring Inchgarvie. 535.
196. * Act for making up a regiment to the generall artiliarie. 535.
197. * Act anent the 80000 merks payable be the burrowis. 535.
198. * Ordour to the Comittee of eſtaittis to draw up the artickles of the diſciplein of warr be the advyſſe of the miniſtrie. 535.
199. * Act diſchargeing duellis or combattis. 535.
200. Act ratifieing the Treatie betuix the Kingis Majeſtie and the Commiſſioneris of the parliament of this Kingdom. 535.
201. * Act continewing the Commiſſione for the generall commiſſaris accomptis. 536.
202. * Act and Commiſſione to the Committee of eſtaittis. 536.
203. * Letteris ſent to England anent the 3 ſhippes takin. 536.
204. * Remitt to the Committee of eſtaittis to nominat the officiaris of the three foot regimentis in the north. 536.
205. * Remitt to the Committee of Eſtaittis to draw a declaratione to be emitted from the parliament. p. 536.
1650, Jul. 4.
206. * Remitt to the Comittee of eſtaittis to meitt with the Commiſſioneris of the church to think wpone the way of the kingis coronation. 536.
207. * Ordour for ſending ane letter to the conſervatour for making matrices for ſtricking of coyne. 536.
208. * Ordour givin to Sir John Falconer to ſtrick threeſcoir ſtane of copper, &c. 537.
209. * Ordour for the duik of Buckinghame Wolmet M[r] Hardin and certane otheris thair remayning in Scotland till the nixt ſeſſione of parliament. 537.
A liſt of the perſones that are thought fitt not to be removed out of the country, untill the commiſſioners be heard thereanent. 537.
210. * Ordour for the duik of Buckinghame his remayning at court till the nixt ſeſſione of parliament, and lykwayes of Do[r] Fraſer. 537.
211. * Act ſuſpending the certificatione aganes the Earl of Lawderdaill till 8 dayes efter the nixt ſitting of parliament. 537.
212. * Ordouris for the Earles of Buccleuch and Weemes and remanent perſones to go and congratulat his Majeſties coming. 537.
213. Inſtructiones to the Commiſſioneris that gois to his Majeſtie. 537.
214. * Remitte to the Comittee of eſtaittis to draw a letter to be ſent to the Kingis Majeſtie. 538.
Jul. 5.
215. * Ordour to the Earl of Buccleuch and Lord Balmerinoch, Sir Charles Erſkyne and Cunynghamehead Patrik Roſſe and Alexander Bowar and the proveſt of Edinburgh to go and heir the act of approbatione of the treatie proclaimed. 538.
216. * Ordour to the Lord Advocatt for drawing a commiſſion to certane perſones concerning his Majeſties effairis. 538.
217. * Additione of certane perſones to the Commiſſione for the effairis of the excheckquer. 538.
218. Act for uplifting 108000 l. to defray the Commiſſioneris charges. 538.
219. * Act anent the diſpoiſing of the ſuperplus of the 108000 punds more nor ſatiffeis the ſowms gevin out be the commiſſionars. 538.
220. * Act ordaining Michaell Elphingſtoun and Sir George Melvill to attend his Majeſtie as Maſter houſhholds. 538.
221. * Act ordaining the laird of Affint to have the charge of the gariſon in Stranaver, in the houſe of Tong and Capitane William Gordone to have ane companie out of thois to be levied out of Sutherland. 538.
222. * Act anent the marching of the horſe and foot of the firſt levie. 538.
223. * Remitte to the committie of eſtates to geive ordours for the troups in the bordering ſchyres, Mers Tivydaill and Drumfreis. 538.

1650, Jul. 5.

224. * Act ordaining the localitie of the pay of the caſtle of Edinburgh to be payed be the toun of Edinburgh. p. 539.
225. * Act anent the prorogating and collecting of the maintenance for Auguſt and September. 539.
226 * Remitt to the committie of eſtates to condeſcend upon the way of the interteinment of the lyfegaird of horſe for his Majeſties perſone and of thair proportioun and of the Iriſh foot quho ar to be his Majeſteis foot lyfegaird. 539.
227. * Licence to the laird of May to go home without finding of cawtione. 539.
228. * Act approveing the liſt of the committie of war of Hadingtoun. 539.
229. * Liſt of the reportis of the committie of billes remitted to the Committie of Eſtaittis. 539.
230. * Act in favours of the Erle of Mar. 539.
231. * Remit in favors of the laird of Ridhall. 539.
232. * Act quhair the tutour of the Erle of Caithnes *made faith de fideli adminiſtratione.* 539.
233. * Remitt Laird Lethem and uthers to the committie of eſtates, &c. 539.
234. * Remitt George Home of Baſſindean to the committie of eſtates, &c. 539.
235. * Ratification in favonrs of Sir James Balfour Lyon king of armes and his breithrein. 539.
* Proteſtation maiſſers of parliament againes the ſaid Ratification. 539.
236. * Ratification in favours of Ewin Cameron of Lochyeld. 539.
237. * Ratification in favours of the Marques of Argyle of his decreit againes Angus Mc Donald. 539.
238. * Ratification Marques of Argyle and Lord Neill Campbell his ſone of his infeftment of the Lands of Neilſtoun. 539.
239. * Ratification Marques of Argyle of the tennendrie of Largie. 539.
240. * Ratification in favours of Thomas Jaffray commiſſar of Peibles of his gift of the commiſſariat of Peibles. 539.
241. * Ratification of ane contract betuix the Lord Balmerinoch and Mr William Dalgleiſh. 539.
242. Ratification in favours of Doctor Alexander Dowglas of the infeftment grantit to him of the Lands of Drumdola. 539
244. * Liſt of the comittie of war of Inuernes. 540.
245. * Ratification to the laird of Hirdmeſtoun of his lands and baronie of Hirdmeſtoun &c. 540
246. * Ratification Lady Frendraucht of hir infeftment of hir conjunct fie lands. 540.
247. * Ratification to the Erle of Lowdoun Lord Chancellar of his richtis and infeftmentis of the lands of Entrekin. 540.
248. * Ratification to the Erle of Lowdoun Lord Chancellar of his infeftment grantit to his Lordſhip in lyfrent and the Lord Machlein his ſone in fie of the lands and baronie of Mertonyne and Lowdoun and uthers. 540.
249. * Liſt of the comittie of war of Selkirk. p. 540.

1650, Jul. 5.

250. * Ratification to Sir Archibald Johnſtoun of Wareiſtoun knight clerk regiſter of his infeftment of the lands of Wareiſtoun. 540.
251. * Act conteining ane addition to the comittie of war of Berwick. 540.
252. * Supplication John Stevinſone remitted to the committie of eſtates. 540.
253. * Liſt of ſupplicationes and reportis. 540.
254. * Act of tranſumpt in favours of John Grahame burges of Gleſgow. 540.
255. Remitt Thomas Richardſone ſcipper in Dyſert to the Lords of Seſſione. 540.
256. * Liſt of the comittie of War of Roxburgh. 540.
257. * Act in favours of Coll. Campbell of Lawers Doctor Sharps relict and Mr James Campbell. 540.
258. * Act ordaining ten thowſand Merkis to be payed to the caſtellis of Edinburgh and Inchgarvie, out of the firſt of the toun of Edinburghis proportioun of the 80000 merkis. 540.
259. * Act appoynting ane gratuitie to be gevin to the clerkis of ſeſſion for thair ſervice. 540.
260 * Inſtrumentis takin be Sir Charles Erſkein upon redelyverie of the honours to be keiped or tranſported as the comittie of eſtates ſhall give ordour. 540.
261. * Act ſalvo jure cujuſlibet. 540.
262. * Act continuation of the parliament to the fyfteint day of Auguſt. 540.

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PARLIAMENTUM APUD PERTH,

XXVI DIE NOVEMBRIS, A D. M,DC,L.

1650, Nov. 26.

MINUTES—Oathe of Parliament—Electione of the Preſident — Productione of the Honouris. p. 541.

1. * Act anent the electione of the Erle of Lowdoun Lord heiche chancelar of this realme preſident for this ſeſſione of parliament. 541.
2. * Inſtrumentis takin be the Lord Marquis of Argyle wpoun the productione of the honouris. 541.

Nov. 27.

MINUTES — Productione of Commiſſiones — Committee upoun calling in of the Commiſſioneris not yit come to the parliament — Conference with the Generall Aſſembly — Committee anent the Forces — Committee for Overturis — Committee for Bills — Lieutenent Generall — Generall Regiſter of Seaſings — Witches — Subject of the conference — Committees — References to the Committees. 541.

3. * Act ordaneing that no Commiſſioneris ſhall ſitt in parliament ather barron or burges without productione ather of their commiſſione

1650, Nov. 27. bearing thame to be elected commiſſioneris for that ſeſſione of parliament or of thair former commiſſiones bearing thame to haue been commiſſioneris in the preceiding ſeſſione of parliament and continewed for that ſeſſion. p. 542.

4. * Act ordaneing the Generall Regiſter of ſeaſingis to be keepit in the toun of Perth. 542.
5. * Commiſſione to the Comittee for the militarie effairis and conference. 542.
6. * Commiſſione to the Committie for billis. 542.
7. * Commiſſione to the Committie for overturis. 542.

Nov. 28. MINUTES — Committee for the Armie — Colonell Robert Montgomery — The Lord Generall — The Conference — Shyre of Forfar — Generall Aſſemblie. 542.

8. * Ordour to the Generall of Arteliarie or his deputtis for delyvering to Colonell Robert Montgomerie 200 weight of powder with matche and ball proportionall. 543.

Nov. 29. MINUTES — Commiſſionaris of the ſhyres of Edinburgh, &c. — Solemne faſt — Committee for the militarie effairis — Shyre of Forfar — Lord Pitſligo — Sir James Lockhart — Priſoneris in Orkney — Earl of Dumfermling. 543.

9. * Proclamatione anent the ſchyres of Edinburgh Linlithgow and Hadingtoun. 543.
10. * Act anent the ordaneing of a ſolemn faſt to be keepit, and appoynting the tyme of his Majeſties coronation and ordaneing Proclamation anent the day of his Majeſties Coronation to be publiſhed. 543.
11. * Act anent the ſhyre of Forfar. 543.
12. * Act and Commiſſione concerning the Lord Pitſligo contra Forbes. 543.
13. * Act in favouris of the Earl Dumfermlin. 543.

Nov. 30. MINUTES — Generall Commiſſar — Militarie effairis — The Muſter — [Remonſtrance and Petitione from the Commiſſionaris of the Generall Aſſemblie, &c.] — [Senſe of the Commiſſioneris of the Generall Aſſembly upon the Weſtern forces Remonſtrance] — [Warrand be the Commiſſioneris of the Generall Aſſembly to their Commiſſioneris for presenting ſome Papers] — Generall Major Holburne — Militarie effairis — Aſſociatione in the weſt — Committee for grevances and wrongis — Miniſteris ſtipendis. 544.

14. * Letteris ſent from the parliament to thoiſe who ſhould haue bein preſent to give ane accompt of the muſteris whiche ſhould haue bein at the randevouze. 547.
15. * Act of exoneration and approbatione in favouris of the Lieutennent Generall. 547.
16 * Act ordaneing the haill forces of the Kingdom to be wnder one command. 547.
17. * Ordouris for the Laird Laweris regiment to marche to Stirling. p. 547.
18. * That all the forces in the weſt go under the command of Colonell Robert Mongomrie. 547.
19. * Ordour for the Collector of the Mernes to anſwer 200 bollis of meall to Colonell Ker of Greinhead for his regiment. 547.
20. * Act of exemptione to the Marquis of Argyllis diviſione of Inuernes from out putt of horſe or dragounes. 547.
21. * Remonſtrance fra the Commiſſioneris of the Generall Aſſemblie to the parliament. 547.
22. * Commiſſione for greevances. 547.

1650, Nov. 30.

MINUTES — Sir George Melveill — Militarie effairis — Lochkilkerran — Colonell Strauchane — Ordering of the hous — Acts of the Committee of Eſtaittis — A new privie ſeall — The coronatione — Laird of Adie — John Lindeſay — Witches — Lairds of Erſkyne and Glenurquhy. 547. Dec. 2.

23. * Ordouris for Lochkilkerran. 548.
24. * Act and warrand for making of a new privie ſeall. 548.

MINUTES — Inchgarvie — The weſt cuntrie — Generall Major Holburne and Colonell Robert Montgomrie — Generall Lieutenent — Generall Commiſſar — Earl of Lawderdaill. 548. Dec. 3.

MINUTES — Oath of parliament — Militarie effairis — Greevances — The meall — Perſones recommendit by the Generall Aſſemblie — Kincardyne — Earl of Linlithgow — Laird of Cranſtoun — Earl of Lauderdaill — Orkney and Zetland. 548. Dec. 4.

25. * Act anent the additionall forces of the Kingdom. 549.
26. * Letteris wreattin to Colonell Robert Mongomrie, and to the weſterne forces and to the ſeverall ſhyres. 549.
27. * Act in favouris of the parochineris of Falkirk. 549.
28. * Act in favouris of the parochinaris of Lerber Donypace, &c. 549.
29. * Letter to the moderator of the Commiſſioneris of the Generall Aſſemblie. 549.
30. * Act diſchargeing exemptiones from payment of meall to the garieſones. 549.
31. * Act in favouris of perſones recomendit to the parliament be the Commiſſionaris of the Generall Aſſembly who have given ſatiſfactione. 549.
32. * Act in favouris of the ſhirefdom of Kincardyne. 549
33. * Liſt of the Committee of war of Orkney and Zetland. 549.

MINUTES — Coronatione — Shyres and burrowis — Lifguaird — [Letter to the forces in the weſt] — Militarie effairis — Proveſt of Perth — The weſt cuntrie — Priſoneris at Newcaſtell — Preſ. Dec. 5.

1650, Dec. 5 beterie of Dumfermlein — Cornet Johne Hay — Earl of Lauderdaill — Earl of Linlithgow — Laird of Cranſtone — Greevances — Toun of Anſtruther Weſter — Sir James Lockhart — Sir John Smyth — Coronatione. p. 549.

34. * Letter to the ſeverall ſhyres and burrowis for additionall forces. 550.
35. * Act anent the priſoneris at Newcaſtell. 550.
36. * Act in favouris of the Earl of Lauderdaill. 550.
37. * Act in favouris of the Earl of Linlithgow. 550.
38. * Act in favouris of the Laird Cranſton. 550.
39. * Act in favouris of the toun of Anſtruther Weſter. 550.
40. * Act in favouris of Sr James Lockhart. 550.
41. * Commiſſione to Sr James Halkheid for keiping Inchgarvie. 550.
42. * The warrand with the Letters to the weſt forces. 550.

Dec. 6. MINUTES — Mr. Robert Douglas — The Generall Aſſemblie — Coronatione. 550.

43. * Letter wreattin to the moderator of the Commiſſione of the Generall Aſſemblie. 551.

Dec. 7. MINUTES — Earl of Bramfoord — Oath of parliament — Aberdein — Engliſh gentlemen — Militarie effairis — Edinburgh — Cariadge of victuall — Earl of Weymes — Laird of Wolmett — Priſoneris takin at ſea — Lady Glenegeis — Army — Alexander Ferquhar — Laird of Auchtermarny — Dumfermlein. 551.

44. * Act in favouris of the Earl of Bramfoord. 551.
45. * Act in favouris of certan Ingliſh gentilmen. 551.
46. * Act for electing Commiſſioneris for the toun of Edinburgh. 551.
47. * Commiſſione for revalueing of the caſuall rent belonging to the Earl of Weymes. 551.
48. * Act in favouris of the Lord Wolmett. 551.
49. * Act in favouris of Alexander Ferquhar. 551.
50. * Act in favouris of the toun of Dumfermlein. 551.

Dec. 9. MINUTES — Armes — Militarie effairis. 552.

51. Power to the Committee for militarie effairis anent the getting of armes. 552.

Dec. 10. MINUTES — Vicount of Newburgh — Memberis of parliament — The regimentis — The low cuntries — Auchtermerny — Commiſſioneris of the Aſſemblie — Incapacities for defence of the cuntrie — Earl of Callander — Duik of Hamiltoun — Coronatione — Generall Aſſemblie. 552.

52. * Inſtructiones and warrand for tryall of the Conditione of the Regimentis. 552.
53. * Commiſſione for tryall of the rentall of auchtermernie. 552.
54. * Letter to thoiſe who are abſent from the parliament. p. 552.

1650, Dec. 10.

MINUTES — Lord Regiſter — Coronatione, &c. — Coynage — Generall Aſſemblie — Militarie effairis — Heritouris of Methven — Earl of Dumfermlein — Engliſh gentilmen — Aberdein — Earl of Levin — Generall Major Holburne. 553. Dec. 13.

55. * Commiſſione Johne Bairdie of Selvadge. 553.

MINUTES — The ſectaries — Oath of parliament — Sir James Mongomrie — Duik of Hamiltoun — Earl of Callander — Exemptions from quarteringis — Coronatione — Lord Rae — Incapacities — Remonſtrance be the Generall Aſſemblie — Subſcryving of actis — Armie — Sir John Smyth — [Petition of the Lord Mauchlin and Colonell Robert Montgomrie] — Aſſociatione in the weſt — Actis of the Committee of Eſtaittis — Committees — Aberdein. 553. Dec. 14.

56. * Act in favouris of the Duik of Hamiltoun. 555.
57. * Act in favouris of the Earl of Callendar. 555.
58. * Act in favouris of Barbara Ewerie. 555.
59. * Act in favouris of Barbara Paterſone. 555.
60. * Act in favouris of Suſanna Hoome. 555.
61. * Act anent the half monethis manteinance appoyntit for the Coronatione. 555.
62. * Act in favouris of the Lord Rae. 555.
63. * Anſwer gevin in be the Commiſſioneris of the Generall Aſſemblie to the quere givin in to them be the parliament anent the perſones to be admittit to joyne for defence of the Kingdome. 555.
64. The ſenſe of the parliament concerning the Remonſtrance gevin in to them be the Commiſſioneris of the Generall Aſſemblie. 555.
65. * Warrand and ordour gevin to Mr David Hay to ſubſcryve all actis of parliament in abſence of the Clerk Regiſter. 556.
66. * Act anent the ſex thowſand pund to be payit out of the ſchyre of Abirdeine for his Majeſties hous. 556.

MINUTES — Uthen Henderſone — Meall — Letter of mark. 556. Dec. 16.

67. * Commiſſione to the Admirall anent Wphen Henderſones ſchipe. 556.
68. * Draught of ane letter of mark 556.

MINUTES — Lame ſojouris — Colonell Robert Mongomrie — Victuall — Lord Mongomrie and Colonell James Mongomrie — Generall Commiſſar — Officiaris receaved by the churche. 557. Dec. 17.

69. * Precept in favouris of Colonell Robert Montgomrie. 557.
70. * Act and ordour anent the cariage of victuall to Stirling. 557.

1650, Dec. 17.
71. * Act in favouris of the Lord Montgomrie and Colonell James Montgomrie his brother. p. 557.
72. * Commiſſione to the Generall Commiſſar. 557.
73. * Liſt of the officeris recommendit by the churche to the parliament. 557.
74. * Letter anent the thowſand pund ſterling due to his Majeſties ſervandis. 557.

Dec. 18.
MINUTES — The levies — Giftis and penſiones — Coronatione — Mentenance — Sir James Mongomrie — Giliane Wilkie — Captain M'Kerkan — Wardis and mariadge of minouris — Colonell Johne Browne — Lady Glenegeis — Lord Carnegy — Colonell Strauchan — The ſectaries — Johne Moſs. 557.

75. * Act in favouris of S' James Montgomrie. 558.
76. * Act in favouris of the relict of Capitane M'Kerkane. 558.
77. * Act in favouris of the Ladie Glenneglis. 558.
78. * Act in favouris of the Lord Carnegie. 558.
79. * Ordour to the Lieutenant Generall to call a Councell of war anent Johne Moſs. 558.

Dec. 19.
MINUTES — Sir William M'Dowgall — Coynehous — Coronatione — Juſtice Generall — Captain Auguſtein — Levie — Glaſgow — Mentenance — Diſabled officiaris and ſojouris — The Excyſe. 558.

80. * Ordour to the generall, maiſter, and officeris of the Cunyie hous for coyneing money for the uſe of the Coronation. 559.
81. * Diſpenſatione grantit to the Juſtice Generall and his deputis to ſitt and miniſter Juſtice notwithſtanding of the ſitting of the parliament. 559.
82. * Liſt of ſuch memberis of the parliament who undertook to be ſuirtie for payment of thair proportiones of the half monthis manteinance impoſed upon the ſhyres of Fyff, Clakmannan Kincardyne Perth Abirdeine Forfar Bamff and Murray. 559.
83. * Act in favouris of officeris and ſouldiers who ſhall happin to be rendered unable in the publict ſervice to doe for themſelfis. 559.
84. * Act prorogating the Committee of excyſe. 559.

Dec. 20.
MINUTES — George Wood — Act of Leavie — Liſt of the Colonellis of horſe and foott. 559.

85. * Act in favouris of George Wood and his ſpous. 559.

Dec. 21.
MINUTES — Officiaris — Arteliarie — Garieſone of Stirling — Kingis hous. 559.

86. * Ratificatione of the act anent the remainder of the 30 dayes proviſione furth of the ſchyres of Abirdeine and Bamff for intertainement of the Kingis hous. 559.

1650, Dec. 23.
MINUTES — Johne Moſs — Thorntouns troup — Lieutenant Colonells and Majors — Sir James Halkheid — Thingis to be performed by his Majeſtie — Earl of Levin Lord Generall — General Major Holburne — Cap'. Auguſtein — Erle of Athoill — Gentrie of Roſs — The ſhyres — Levie — William Drummond — Earl of Dumfermlein — Levie — Generall quarter-maſter. p. 560.

87. * Ordour for a councell of war for judgeing of Johne Moſs as ane ſpye. 560.
88. * Act in favouris of the Erle of Atholl. 560.
89. * Act anent the gariſones of Brand Ellendonald in Roſs. 560.
90. * Letter from the King and Parliament to the ſeverall ſhyres within this Kingdome. 560.
91. * Act in favouris of the Erle of Dumfermling. 560.
92. Act of Leavie. 560.
93. * Act diſchairgeing the generall quarter maiſter for giveing ordouris to any regimentis for goeing further north. 562.
94. * Act of approbation in favouris of the Erle of Levin Lord generall his excellencie. 562.
95. * Act of approbation in favouris of Generall Major James Holburne. 562.

Dec. 24.
MINUTES — Wardis and mariadges — Holland — Publict Regiſteris — Militarie effairis — Lochlevin — Houſe of Burghtie — Acceſs to his Majeſtie — Laird of Laweris — Stranaver — Lord Wentworth — M' James Sympſon — Sir John Henderſone — M' William Davidſone. 562.

96. * Letter from the Parliament to the Clerk Regiſter anent the tranſporting of the publict Regiſteris Recordis and warrandis from the caſtell of Edinburgh. 563.
97. * Warrand for the Lord Burghley for placeing of tuentie of his men in the hous of Lochlevin upon his awin chairges. 563.
98. * Act in favouris of the Laird of Laweris anent ſome men to be addit to his regiment. 563.
99. * Act diſchairgeing any manteinance to be allowed to the gariſone of Stranaver. 563.
100. Act in favouris of Thomas Lord Wentworth. 563.
101. * Act in favouris of M' James Sympſone. 563.
102. * Act in favouris of M' Williame Davidſone advocat. 563.

Dec. 25.
MINUTES — Entailment of the croun by King Robert the Bruce — Militarie effaires — Act anent wardis and mariadges &c. — M' James Strauchane — Lady Glenegeis — Lady Pityellony — Earl of Seafort — Laird of Weyme — Sir John Henderſone. 564.

103. Act in favouris of Sir James Balfoure lyone king of armes anent the productione of the

1650, Dec. 25. great Charter whairby umquhill King Robert the Bruce entailed the Croun of Scotland (faileand of his airis maill) to the race of the Stewartis and diſchairgeing the ſaid Sir James Balfoure thairoff. p. 564.

104. * Act ordaineing the forſaid great Charter to be inſert and recordit in the Regiſter of Parliament and to be keiped with the Recordis thairoff. 564.

105. * Act anent the wairdis and mariages of thaiſe who ſhall happin to be killed in the publict ſervice. 564.

106. * Act in favouris of Mr James Strauchan of Inſchtuthell. 564.

107. * Act in favouris of the Ladie Glenneglis. 564.

108. * Act in favouris of Jeane Oliphant relict of Capitane Drummond of Pittyellony. 564.

109. * Act anent the ſerveing of Alex^r Meinzies of Weeme aire to his umquhill grandfir. 565.

110. * Act in favouris of Sir Johne Henderſone. 565.

Dec. 27. MINUTES — Acceſe to his Majeſtie — Thingis to be done in parliament — Erle of Seafort — Captain Melveill and Captain Roſs — Excyſe — Perth — Kinghorne — Holland — Generall Major Maſſie &c. 565.

111. * Act anent the Erle of Seafort. 565.

112. * Act ordaineing generall letters of horneing to be direct at the inſtance of the generall commiſſar aganis the deficientis for payment of the excyſe. 565.

113. * Act anent the ſchyre of Perth anent thair payment of ane monethis manteinance. 565.

114. * Act in favouris of the burgh of Kinghorne. 565.

115. * Act anent the payment of the money contracted be the Commiſſioneris quha went to Holland to attend his Majeſties home cuming. 565.

Dec. 28. MINUTES — Correſpondence with other nationes — Holland — Committee of Eſtaittis — Gentilmen in the weſt — The paper of 12 articles — Kirkis remonſtrance — Coronatione — Councell — Excyſe and accomptis — Committee of war — The generall perſones — The Levie — Actis ſince 1641 — Officiaris takeris of money — Complyeris — Quarteringis betwixt maiſteris and tennentis — Perth — Footguaird — The weſt — Remonſtrance of the weſt — Erle of Athoill — Earl of Cleveland — Lord Withrington — Duik of York — Earl of Wigton, Laird of Langton and Robert Cunyngham. 565.

116. * Act explaineing the minutt of parliament of the 24 December anent thaiſe who are officeris of the armie and are admitted to have acceſſe to his Majeſties perſone. 566.

117. * Act ordaineing the places of ſuche of the privie councell as ar deceiſt to be filled conforme to the act of parliament. 566.

118. * Commiſſione anent the excyſe and accomptis. p. 566. 1650, Dec. 28.

119. * Act ordaining the noblemen and Commiſſioneris of ſhyres in the partis of the countrie where they are concerned to repaire home for accelerating the leavie. 566.

120. * Act in favouris of the ſhyre of Perth. 566.

121. * Act ordaineing the foot lyfegaird to be payed out of the ſuperplus of the monethis manteinance of Perth &c. 566.

122. * Act declaireing the aſſociatione of the weſt to be voyd and diſchairgeing any ſuch in tyme cuming. 566.

123. * Act ratifieing the act of the committie of eſtaittis conteining his Majeſtie and the Committie of eſtaitis thair ſenſe of the Remonſtrance givin in be thaiſe of the gentlemen and officeris in the weſt. 566.

124. * Act in favouris of the Erle of Cleveland. 567.

125. * Act in favouris of the Lord Withringtoun. 567.

126. * Remitt from the parliament to the Committie of eſtaitis concerning the duik of York. 567.

* Proteſtatione Earl of Wigtoune contra Laird of Langtoun and Robert Cunynghame. 567.

* Proteſtatione Laird of Langtoun and Robert Cunynghame contra Earl of Wigtoun. 567.

127. * Act diſcharging officeris to accept money for horſes or men. 567.

MINUTES — Artickles of agreement [for the ſurrender of Edinburgh Caſtle] — Stirlein — Sir John Dalmahoy — Maiſter houſhold — Remonſtrance — Generall officiaris — Monthlie mentenance and excyſe — William Drummond — Militarie effairis — Theſaurarie and Exchequer — Coronatione oath — Laweris regiment — Penſiones — Lord Chancelers penſion — His Majeſties rents — Committee of Eſtaittis — Committee for excyſe and accompts — Actis of parliament and the treatie ſince 1641 — The Honours — Committee of Eſtaittis — Acts preſented to the Kingis Majeſtie and touched with the ſceptter — John Lundie — Liſt of Supplicationes and Reportis redd in Parliament viz. Burrowis of Fyff — [Petition of Archibald Lord Lorne] — [Reporte from the Committie of billis anent the ſupplicatione of Martene Leitch] — Fewares of of Kingiſbarnes — [Petition of Sir William Ballantyne of Bruchtoun] — Laird of Buchannan — Sir Philip Muſgrave — Lord Hoptoun — Kathrein Walker — Mr Anthonie Jackſone — James Wood — Johne and Elizabeth Prattis — Jonet Campbell relict of Capt McNab — Toune of Dyſert — Earle of Queenſberrie — Lord Lorne — Tounes of Kirkcaldie &c. — Robert Spalding — Parocheines of Kinroſs and Orwall — Alex^r Archibald — Heritours of Clakmannan — Laird of Glenurquhy — Earl of Dumfermlein — Colonel Wil- Dec. 30.

1650, Dec. 30. liam Lumſdeane — Counteſſe of Callander — Ratifications to Mr Thomas Morray and Sir Johne Broun —[Supplication of Colonel Thomas Dalyell of Binnes] — [Supplication of Mr James Row] — [Supplication of Eupham Blair] — Act Salvo Jure — Parliament continued to Feb. 5, 1651. p. 567.

128. * Act in favouris of Sir Johne Dalmahoy. 575.
129. * Act in favouris of Sir George Melvill. 575.
130. * Remitt from the parliament to the Committie of eſtaittis anent the nominateing and compleiting of the generall officeris of the armie. 575.
131. * Remitt be the parliament to the Committie to cloſe the anſuer to the Remonſtrance given in to thame be the Commiſſioneris of the generall aſſemblie. 575.
132. * Act prorogatting the monethlie manteinance till the firſt day of Auguſt 1651 and the excyſe till the moneth of Maij 1652. 575.
133. * Commiſſioune to the Committie of excyſe and accomptis. 575.
134. * Act ordaineing the Erle of Eglintoune to have ane Regiment of ſix troupes of horſe. 575.
135. * Recommendatione from the parliament to the Committie of Eſtaittis anent Generall Major Maſſie. 575.
136. * Act nominateing the generall officeris of the armie. 575.
137. * Act prorogatting the Commiſſiones for the theſaurarie and exchekquer unto the nixt ſeſſioun of parliament. 575.
138. Commiſſion to the Committee of Estates. 575.
139. * Act ratefieing the former act of parliament diſcharging penſiones granted be his Majeſtie, &c. 577.
140. * Remitt to the Commiſſioneris for the theſaurarie anent the improveing of his Majeſties rentis, &c. 577.
141. * Inſtrumentis takin anent the productione of the honouris in face of parliament in name of the Erle Mariſhall, &c. 577.
142. * Act quhairby his Majeſtie ratefies the haill former actis of parliament ſince the yeir 1641 and the late treatie at Breda. 577.
143. * Decreit and act in favouris of John Lundie of Auchtermerny 577.
144. * Act in favouris of the burrowis of Fyiff. 577.
145. * Act in favouris of the Laird of Buchannan. 577.
146. * Act in favouris of Sir Philipe Muſgrave. 577.
147. * Act Salvo Jure Cujuſlibet. 577.
148. * Act continueing the parliament to the fyift of Februar 1651. 577.

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PARLIAMENTUM APUD PERTH,

XIII DIE MARTII, A.D. M,DC,LI.

MINUTES — Oath — Preſident — The Honouris — Committies for militarie effairis, overturis and billis — Actis of the Committee — Committee of grevances — Committee to confer with the Commiſſioneris of the Generall Aſſemblie — [Letters from the Committee of Eſtates to Mr James Guthrie and Mr David Bennet miniſteris at Stirling] — [Proteſtation by Mr James Guthrie and Mr David Bennet] — Various Committees. p. 578. 1651, Maii 13.

1. * Act nominating the Lord Burghley to be preſident of parliament for this ſeſſioun of parliament. 580.
2. * Inſtrumentis takin be the Lord Marques of Argyll upon the productione of the honouris. 580.
3. * Commiſſioun to the Committie of Billis. 580.
4. * Commiſſioun for the Committie of overtouris. 581.
5. * Commiſſioun for the militarie effairis. 581.
6. * Commiſſioune for the Conference. 581.
7. * Commiſſioune for reviſeing of the actis of the Committie of eſtaitis. 581.
8. * Act adding certane perſones to the Committie of greivances. 581.

MINUTES — Mentenance — Quarteringis — Pay to the officiaris — Preſbetrie of St Androis — Sojouris impriſoned for abuſing and forcing of a woman — James Bruce of Powfoulis — Bailyeis of Bruntyland — Caſtell of Edinburgh — Generall Major Maſſey — Lame ſojouris — Bruntyland. 581. Mar. 14.

9. * Act anent a monethis manteinance to be payed be the haill ſchyres benorth Forth. 581.
10. * Act ordaineing ten pund of 15 pund receaved be the Colonellis of horſe of the new leavie to be given to the generall Commiſſar. 581.
11. * Act anent the muſtering of the haill regimentis of horſe on this ſyde of Aberdeine and conteining thairin the Inſtructiones. 581.
12. * Act ordaineing twa regimentis of horſe to be removed aff Perthſchyre and thrie regimentis of horſe aff the ſchyre of Fyiff. 581.
13. * Recommendatione to the Committie of greivances in favouris of Captaine livetenant Craford Captane Lieu^t Buntein and Cornett James Syme. 581.
14. * Commiſſioune to certane perſones anent the finding out of armes and ammunitione. 581.
15. * Commiſſioune anent the Baillies of Bruntiland. 582.
16. * Act anent the lamed ſojouris. 582.
17. * Ordour for the Committie of war of Fyiff for cariage of victuall from Newburgh to Stirling with aſſureance of payment for any further ſervice if it ſhalbe requyred. 582.

1651, Mar. 14. 18. * Ordouris for examining witneſſes anent the caſtell of Edinburgh. p. 582.

Mar. 15. MINUTES — Bailyies of Bruntyland — James Wilſon and Duncan Nairne — Miniſteris of Stirling — Miniſteris of Glaſgow — Shyre of Boot — Shyre of Kinroſs — The Conference — Theſaurarie accomptis and effairis of his Majeſties hous. 582.

19. * Commiſſioune anent James Wilſoune and Duncane Nairne. 582.

20. * Commiſſioune grantit for revalueing of the ſhirefdome of Boott. 582.

21. * Commiſſioune grantit for revalueing of the ſhirefdome of Kinros. 582.

Mar. 17. MINUTES — Militarie effairis — Committee of eſtaittis — The Conference — Oath to the officiaris of the army — Artickles of war — Quarteringis — South ſyd of the water of Forth — Grevances — *Militarie effairis* — *James Bruce* — *Univerſity of Glaſgow* — *Commiſſaris of Glaſgow* and Hamiltoun — Shyre of Boott — [Petition of the Commiſſaris of Edinburgh and Report of the Committee of Billis thairupon] — Robert Moray — Victuall from Orknay. 582.

22. * Act diſchairgeing the ſervice quhairby James Bruce of Powfoullis was ordained to be ſerved aire to his father. 584.

23. * Commiſſione for viſiteing the univerſitie of Glaſgow. 584.

24. * Diſpenſatione to the Commiſſaris of Glaſgow and Hamiltone to ſitt. 584.

25. * Liſt of the Committie of warr of the ſchyre of Boott and comiſſione granted to thame. 584.

26. * Warrand gewin to Johne Denny merchand for *tranſporting* of victuall from Orknay to the weſt countrie. 584.

27. * Ordouris to the Committie of warr of the ſchyre of Fyiff anent the quartering of the Kingis Regiment. 584.

28. * Remitt anent the conditione of thoiſe of the ſouth ſyde of Forth, to the Kingis Majeſtie. 584.

Mar. 18. MINUTES — Oath of parliament — Militarie effairis — Earl of Levin — Sir John Falconer — Sir William Bannatyne — George Logie — Commiſſaris of Edinburgh — Philip Kinkaid — Bailyeis of Bruntyland. 585.

Mar. 19. MINUTES — Queſtiones how to be decydit — Generall Aſſemblie — Mr James Guthrie and Mr David Bennet — Queree ſent to the Commiſſioneris of the Generall Aſſemblie — Commiſſaris of Edinburgh — Inchgarvie and Blackneſs — Priſoneris at Newcaſtle — Laird of Niddrie — Theſaurarie accomptis and kingis effairis. 585.

29. * Act anent the fitting of the Commiſſaris of Edinburgh. 586.

30. * Act ordaineing the Laird of Nidrie to have the chairge of his brotheris troupe. 586.

MINUTES — The Regiſteris — Warrandis of parliament — Miniſteris of Stirling — Colonel Archibald Strachane — Preſbetry of St Androis — William Baxter — Lewis Gordoun — Overturis — Sir John Broun — Peter Rollok. p. 586. 1651, Mar. 20.

31. * Ordour to Sir Archibald Johnſtoun clerk regiſter to goe to Edinburgh anent the taking of the regiſteris and to deall for bringing of them bak, &c. 586.

32. * Ordour to the Committie of Billis for directing furth of preceptis for citatione of the debtoris of Collonell Archibald Strauchan, &c. 586.

33. * Commiſſioune to Lordis of Seſſioun anent Williame Baxter his complent contra Arnottis. 587.

MINUTES — Juſtice Clerk — Money — His Majeſties familie — Generall Major Mongomrie — Generall Major John Leſlie — Militarie effairis — Lewis Gordoun — Parochein of Monygaff — Shyre of Forfar — Maiſteris — Exacting money — Oath be the officiaris of the army — Exacting of money — Cardroſs — Artelliarie — Thomas Cunynghame — Lord Hoptoun — Cathrein Walker — Morvingsyde, Slamanno and Falkirk — Bonatmakeris of Dundie — Lairds of Newliſton and Breiſtmylne — John Gullane — George Bruce — Valentyne Naper — Blaklunance — James Reid — Collectoris and Subcollectoris — Johne Short. 587. Mar. 21

34. * Act nominating and appoynting Sr Robert Murray to be lord Juſtice Clerk. 588.

35. * Act in favouris of Generall Major Mongomrie. 588.

36. * Remitt Supplicatione gevin in be the parochineris of Monygaff to the Committie of warr of the ſchyre of Wigtoune. 588.

37. * Remitt Heritoris of Forfar to the Committee of war thereoff. 588.

38. * Act in favouris of the four ordinar maiſteris of parliament and ſeſſioun. 588.

39. * Act in favouris of Generall Major Johne Leſlie. 588.

40. * Act ordanieing ſuch as gives informatione of any who haue exacted money for men or horſe to haue the half of the paine decernit aganis them. 588.

41. Act diſchairging officeris and ſouldiouris to exact money in thair quarteris. 588.

42. * Act in favouris of the parochineris of Cardroſe. 588.

43. * Act anent the traine of Arteiliarie and in favouris of the Generall thereoff, &c. 588.

44. * Act in favouris of Thomas Cunynghame as Commiſſioner for Mr Lampſones. 588.

45. * Two Commiſſiones anent the Lord Hoptoun and Kathrein Walkeris houſis in Edinburgh. 588.

46. * Recommendatione in favouris of the parochines of Morwingſyde Slamanno and Falkirk. 588.

1651, Mar. 21.
47. * Act in favouris of the bonnett makeris of Dundie. p. 588.
48. * Warrand to Breiſtmylne for carieing of victuall. 588.
49. * Act in favouris of Johne Gullane. 588.
50. * Act George Bruce contra Lord Balmuto. 589.
51. * Act in favouris of Valantyne Naper. 589.
52. * Act in favouris of the parochineris of Blaklunanes. 589.
53. * Act in favouris of James Reid. 589.
54. * Commiſſione to Johne Short Proveſt of Stirling. 589.

Mar. 22. MINUTES — Engliſh officiaris — Generall Aſſemblie — Lord Lorne — Meall — Coyne. 589.

55. * Commiſſione grantit to the Erle of Linlithgow and utheris anent the wrang done to certane Inglifch gentilmen. 589.
56. * Ordour for the wholl regiment quarter maiſteris to repaire to Stirling to tak tryall of the victuall laid in there for the ſeverall regimentis. 589.

Mar. 24. MINUTES — Colonell Strauchane, &c. — Condition of his Majeſties effairis — Livetenant Generall Middletoun — Gentilmen of Roſs — George Campbell and James Ker — Forces from the north and yles — The Oath — Quere to the Generall Aſſemblie — Foott guaird — Generall Major Maſſie — Captain Andro Blair — Committee for the effairis of the armie, &c. — Muſter rollis — The Lord Generall — Kirkpatrik and Leinzie — Johne Campbell of Edinample. 589.

57. * Repreſentatione from the Lord Marquis of Argyll M^r^ houſhold to his Majeſtie, &c. anent the conditione of his Majeſties hous, &c. 590.
58. * The oath gevin in be the Commiſſioneris of the Generall Aſſemblie. 590.
59. * Act in favouris of Andro Blair. 590.
60. Act continewing Alexander Erle of Levin to be Generall of the Armie. 590.
61. * Act in favouris of the parochineris of Kirkpatrick and Lenzie. 591.

Mar. 25. MINUTES — Earl of Eglintoun — Foott guaird — Monthes mentenanee — Money — [Supplicatione of the officiaris of the garieſone of Stirling] — Bailyie of Dyſert — Money — Laird of Philorth — Kirkmichell and Inuerewin — Marquis of Huntlie — Reſtitutione againſt forfaltours — Generall Commiſſar — Committee for the armie — Colonell Strauchane, Dundas, &c. 591.

62. * Act ordaineing the companies of the Regiment of his Majeſties foot guaird to be recreuted. 592.
63. * Act in favouris of William Symſone baillie of Dyſert. 592.
64. * Act in favouris of the parochinaris of Kirkmichaell and Inverewin. p. 592. 1651, Mar. 25.
65. * Act of reſtitutione of Lues Gordoune aganis the decreit and ſentence of forfaultour led and deduced aganis the late Marqueis of Huntlie and reponeing him to the honnor dignitie and eſtate of Marqueis of Huntlie. 592.
66. * Act and declaratione anent the reſtitutione of any who ſhalbe reſtored againis the ſentence of forfaultour. 592.

MINUTES — Citationes for thoiſe furth of the cuntrie — Laird of Cambo — George Campbell — James Ker — Alexander Innes — Enyie and Strathbogy, &c. — Engliſh officiaris — Committee of eſtaittis and Committee for the army — Pert, Stragothro, &c. — Conference of the ſeverall bodyes — Militarie effairis — Mr David Campbell. 592. Mar. 26.

67. * Act ordaineing citationes and executiones aganis pairties who are out of the cuntrie to be at the mercat croce of Perth and peir and ſchore of Bruntiland. 593.
68 * Act anent the eſtaittis and meanis in this Kingdome belanging to thoſe who adheare to the rebellione in Ingland. 593.
69 * Act in favouris of the tenantis of Einyie Strabogie Cabraich and Gartlay. 593.
70. * Commiſſioune Mr David Campbell contra Inſchmertine Balthyok and vtheris. 593.
71. * Act in favouris of the heritouris of Pert Stragothro, &c. 593.

MINUTES — Shire of Kincardyne. 593. Mar. 27.
MINUTES — Sir Robert Murray Juſtice Clerk — Magiſtrattis of Aberdein — Pryſes — Sir Robert Drummond — Relict of Captain M^c^Nab — Supplie to the armie — Generall Major Robert Mongomrie — Laird of Glenurquhy — Erle of Athoill — Andro Dick — Commiſſione for the effaires of the armie — Committee of Eſtaittis — Colonellis in the feverall ſhyres — Lawderdaill — Eſdaill — Queereis anent thois who gois in to the enemy — Money for his Majeſties uſe — Mentenance — Laird of Preſton — Culroſs — Kirkcaldie — Colonell Strauchan. 593. Mar. 28.

72. * Act anent Sir Robert Murray. 594.
73. * Act in favouris of the relict of Captane M^c^Nab. 594.
74. * Act anent the recrewteing of Montgomries Regiment. 594.
75. * Act exeeming the Laird of Glenurquhy from outreik of hors in this preſent leavie. 594.
76. Commiſſioun to the Committie appoynted for manadgeing the effairis of the armie. 594.
77. * Act nominating certane perſones to be Colonellis in the ſeverall ſchyres beſouth forth. 595.

1651, Mar. 28 * Proteſtatione be the Lord Toſtis aganis the joyning of Lauderdaill with the ſchyre of Hadingtoun. p. 595.

* Proteſtatione Laird Mouſuall aganis the joyning of the fyve churches of Eſdaill to the ſchyre of Roxburgh. 595.

78. * Remitt Supplicatione Laird Preſtoune anent the burneing of his hous and evidentis to the Committee of eſtaittis. 595.

79. * Act in favouris of the toun of Culros. 595.

80. * Act in favoris of the toun of Kirkcaldie. 595.

81. * Act ordaineing the ſowme of 3000 punds auchtand to Collonell Strauchane to be vplifted be Johne Scott maſter wricht. 595.

82. * Remitt concerneing the Earl of Athoill. 595.

Mar. 29. MINUTES — Actis of incapacitie — Viveris for the Kingis hous — Proviſione for the troops — Committee for the armie — Liſt of the Committee for the effairis of the armie — Sir Robert Murray Juſtice Clerk — Sir Archibald Prymrois — Dumfermling — St Andrewis, &c. — William Bell — Kinghorne — Johne Campbell. 596.

83. * Act ordaineing all viveris for the uſe of the Kingis hous to be frie of excyſe. 596.

84. Act ordaineing the ſchyres to advance twentie dayes proviſione by and attour the fourtie dayes alreadie ordained. 596.

85. * Act anent Sr Robert Murray Lord Juſtice Clerk. 597.

86. * Ratificatione in favouris of Sir Archibald Prymrois. 597.

87. * Ratificatione of ane gift to the ſaid Sir Archibald Prymrois as Clerk to his Majeſties privie counſell and writter of the Commiſſiounes to the Juſtices of peace. 597.

88. * Act in favouris of the toun of Dumfermling. 597.

89. * Act in favouris of the tounes of St Androis, Craill and Anſtruther. 597.

90. Act in favouris of the toun of Kinghorne. 597.

91. * Act in favouris of Johne Campbell of Edinample. 597.

Mar. 31. MINUTES — Adriane and Cornelius Lampſones — The money cryed up — The Kingis Regiment — Garieſone of Stirling — Philorth — His Majeſties ſervandis — Garieſone of Stirling — Deſerters to the enemy — Heighting of the money — Monthes mentenance — Expenſis of his Majeſties jurney home — [Summondis againſt Colonell Archibald Strauchan, Walter Dundas younger of that ilk, &c.] — Impoſt of the wyne — The coynehous — Committee of moneyes — Meall for the armie — Laird of Cambo — Generall of Artiliarie — Overturis — Committee of eſtaittis — Mr Robert Douglas — The command of the army accepted by his Majeſtie — Earl of Roxburgh — Erle of Carnewath — Kinghorne — Clerkis to the parliament — Reproductione of the honouris — Keeping of the warrandis of parliament and the great charter granted be King Robert the Bruce — Billis and ſupplicationes remitted to the Committee of eſtaittis — [Supplicatione of William Purves wrytter] — [Petition of Calum McCondochie vic Ewen, and Ewen McCondochie in behalff of the wholl name of McGregor] — Mr Alexander Colvill of Blair — George Elphingſtoun — Mr Johne Dickſon — Generall King — Act Salvo Jure — Act continewing the parliament — Actis tutched with the ſcepter. 1651, Mar. 31. p. 597.

92. * Letter from Hadrian and Cornelian Lampſones remitted to the Committie of eſtaittis, &c. 603.

93. * Remitt to the Committie of eſtaittis to mak up the Kingis Regiment out of the firſt leavies, &c. 603.

94. * Act ordaineing the price of horſe for his Majeſties ſervandis to be fyfteine pundis ſterling the peice. 603.

95. Remitt to the Committie for the armie anent the garieſone of Stirling. 603.

96. * Act anent the puniſhment of thoiſe who haue bene or ſhalbe intruſted with the chairge of the armie and have deſerted the ſame and reſorted to the commoune enemie. 603.

97. * Act anent thoſe who haue beine intruſted with the keeping of the caſtellis of Edinburgh Stirling or Dumbartane and haue rendered or ſhall render any of them to the enemie. 603.

98. * Act anent the hichting of the raites of gold and money. 603.

99. Act ordaineing ane full monethes manteinance to be payed be the wholl Schyres by and attour all former impoſitiones 603.

100. Act anent collecting of ane hundreth and eight thowſand pundis for defraying the expenſis of his Majeſties journey in his comeing home. 603.

101. Remitt of the proceſſes aganis Colonell Archibald Strauchane and otheris to the committie of eſtates. 604.

102. * Act anent the payment of the Impoſts of wyne. 604.

103. * Commiſſioune for viſiteing of the Coynehous of Dundie. 604.

104. Remitt to the Committie of Eſtaittis to joyne certane perſons to the Committee of moneyes. 604.

105. * Remitt to the Committie for the armie to tak courſe anent the cariage of meill from Montroſe to the armie. 604.

106. Remitt in favours of the Laird of Cambo to the Committie of Eſtaittis. 604.

107. * Act in favouris of the Generall of Arteiliarie. 605.

108. Commiſſion to the Committee of Eſtates. 605.

1651, Mar. 31.
109. * Letter to the moderator of the Commiſſione of the Generall Aſſemblie p. 606.
110. * Declaratione be his Majeſtie that he wald tak upon himſelf the command of the armie. 606.
111. * Remitt the Erle of Roxburgh and the Lord Keris childrein contra the Countes of Roxburgh to the committee of eſtaittis. 606.
112. Remitt anent the reſtitutione of Sir Robert Dalyell to his honour and dignitie as Erle of Carnewath to the committie of eſtates. 606.
113. * Act in favouris of the toun of Kinghorne. 606.
114. Act and Recommendatione in favouris of Maſteris David and Johne Hayes clerkis of parliament. 606.
115. * Inſtrumentis takin in name of the Erle of Marſchell anent the reproductione of the honouris &c. 606.
116. * Remitt to his Majeſtie and Committie of eſtaittis to conſidder how the warrandis of parliament and his Majeſties great chartor conteining the tailzie of the Croune ſould be keiped. 606.
117. * Act remitting all billis and ſupplicationes gevin in to the parliament not diſcuſſit to the Committie of eſtaittis. 606.
118. * Act adding Mr Alexander Colvill younger of Blair to the Committie of war of Fyiff. 606.
119. * Ratificatione of ane gift of legitimatione grantit be his Majeſtie to George Elphingſtoune ſone to the Laird of Selmes. 606.
120. * Ratificatione of ane gift grantit be the clerk regiſter to Mr Johne Dickſone of his place as dictator of the rollis of excheker and utheris thairin mentionat. 606.
121. * Act in favouris of Generall King Lord Ythane. 606.
122. * Act Salvo Jure Cuiuſlibet. 606.
123. * Act continueing the parliament to the ſevintein day of apryll nixt. 606.

. . . . . .

PARLIAMENTUM APUD STIRLING,

XXIII DIE MAII, A.D. M,DC,LI.

1651, Maii 23.
MINUTES — Oath of parliament — Lord Burghley elected Prefident — Productione of the honoris — The Armie — Runawayes — Voluntar loane — Univerſity of Glaſgow — Proviſiones. p. 607.

1. * Act anent the voluntar loane of money. 607.

Maii 24.
MINUTES — Committee of greevances — Supplicatione of Francis Guthrie of that ilk — Buik for the loan — Committee for the armie — Magiſtratis and Commones of Glaſgow — Earl of Levin Lord Generall. 607.

1651, Maii 26.
MINUTES — Report concerneing the effairis of the army — Cariadge of victuall — Ammonition horſis — Baggage horſis — Lord Cochrane and Loure — [Supplicatione of Johne Leith of Hairthill, &c.] — Erle of Mar — William Baxter. p. 608.

Maii 27.
MINUTES — Conference with the Commiſſioneris of the Generall Aſſemblie — The Army — Biſkett for the army — Tentis and ammonition horſis — Canon tranſported to Kinghorne and Aberdein — Committee for the army — Ratificationes. 609.

Maii 28.
MINUTES — Paper from the Generall Aſſemblie — Johne Narne. 609.

Maii 29.
MINUTES — Securing of religione and reformatione — Three regimentis of Fyff — Factoris at Campheir — Peter Abrenſs — Robert Murray of Buchantie — Bowſie and Inuermay — Earl of Callander and Elſpeth Kellock — Anna Keith — Place of meitting. 610.

Maii 30.
MINUTES — Expenſis of witneſſes — Serjant David Foord — Religione and reformatione — Act anent religione and reformatione — Band relative thereto — Deficients in laying in of meall for the army — Bruntyland — Commiſſione for tryell of James Smyth, &c. — [Anſwer by the Commiſſioners of the Generall Aſſembly to the parliaments queeres anent the act of claſſes] — Solemne faſt — Three regimentis from Fyff — Hoſpitall of Stirling — Committee for the army — Marking of veytes — Meall. 610.

2. Act ffor ſecureing of religione and the wark of reformatione. 612.

Maii 31.
MINUTES — The mentenance — Generall Arteliarie — Book of loane money — Erle of Dumfermlein — Mr James Blair — Committee of greevances — Malcolme Johneſtoun — Shyre of Stirling — Commiſſioneris of the Generall Aſſemblie — Captain David Alexander — Actis of the Committee of Eſtaittis — Garieſone of Bruntyland — Culroſs — Committee of war of Stirlingſhire — Generall Major Mongomrie — Alderman Bunſh — Heritouris of Rainfrew — Tenentis of Kilſyth — Lady Semple — Colonell Thomas Home — Alexander Dryſdaill — Lieutenant Allan Ofburne. 613.

3. Act for chairgeing the Collectoris of manteinance for payment thairof to the Generall Commiſſar. 615.

Jun. 2.
MINUTES — The Kingis perfytt age — William Baxter — George Haldane — Act reſciſſorie of the actis of claſſes — Bruntyland — Proteſt by the Earl of Glencarne — Religione and reformatione — Actis of Committee of Eſtaittis — Baggage horſſis — Air and Rainfrew — Counteſs of Airth — Committees for the intervall of parliament — Addition to Committee for reveiſing

1651, Jun. 2. actis of the Committee of Eſtaittis — Committee for conſiddering of the Commiſſiones or Committees for the intervall — Additione to the Committee for Stirlingſhyre. p. 615.

4. * Act declaring the Kingis Majeſtie to be of perfytt and lawfull age. 616.
5. Act reſciſſory of the acts of claſſes. 616.

Jun. 3. MINUTES — Proteſtationes be the Earls of Eglintoun, Callander, and Levin — Band for ſecureing Religione — Oath of Parliament — Committee of moneyes — Alderman Bunce — Erle of Carnewath — Committee of Eſtaittis — Three men to be tryed for abuſing of a woman at Montroſe — Addition to the Committee for overturis — The Committees — Money and excyſe — Allane Tailyeour — Band for ſecuritie of religione — Lord Cochrane — Oath of parliament — Earl of Callendar and Elſpeth Kellok — *Colonell Forbes of Tolchone* — Shyre of Aberdein — Supplicatione be Angus McDonald of Glengarrie — Ane uther ſupplicatione at his inſtance — Number of the Committee of Eſtaittis — Moneyes accomptis and excyſe — Actis and ordouris of Committees how to be ſubſcryved — Artickles of war — Marquis of Huntlies buſſienes. 617.

6. Commiſſion to the Committee of Eſtates. 618.
7. * Act and Commiſſione for the moneyes accomptis and excyſe. 620.

Jun. 4. MINUTES — Lord Madertie — Laird of Lochyell Generall Lieutenant David Leſly — Reformier officiaris — Laird of Erſkyne — Communitie and Incorporatione of Glaſgow — Garieſone of Stirling — Actis aganes the remonſtrance and againſt complyence with the enemy — The money belonging to the Lordis of Seſſione — Duik of Hamiltoun and his Lady — Stirlingſhire bill — Laird of Harthill — Heritouris of Dumbartan ſhyre — Vaſſellis of the Duik of Lennox — Monthes mentenance — Dundie — Robert Fair ſojour lamed — Fewaris of Muckart and Doller — Parliament to cloſe the morrow — Anent complyence — Tranſport of the regiſteris — Act aganes the Remonſtrance — Bandis for ſecureing religione. 620.

8. * Act anent the uplifting of the monthes mentenance appoynted for his Majeſties charges. p. 622. 1651, Jun. 4.
9. Act againſt complyers with this Sectarian Enymie. 622.
10. Act againſt the weſterne Remonſtrance. 622.
11. * Act anent the ſubſcryveris of the bandis for ſecureing religione. 623.

Jun. 5. MINUTES — Baggage horſes — Tranſporting of money — Lordis of Seſſione — Mentenance for his Majeſties uſe — Accomptis of his Majeſties rent — Monthes mentenance for his Majeſties uſe — Kingis regiment — Earle of Carnewath — Inferiour officiaris of foott — Liſt of the Noblemen and Barrones to be upoun the Committee of Eſtaittis. 623.

Jun. 6. MINUTES — Liſt of the burrowis to be upoun the Committee of Eſtaittis — Proteſtatione for the Erle of Athoill — Addition to the Committee of Eſtaittis — Mr Thomas Henderſone — Committee for excyſe and accomptis — Colonell Johne Hamilton to be Generall Major to the foott — His Majeſties accomptis — Mr Thomas Henderſone diſcharged of his place as Clerk to the Commitee of Eſtaittis and Sir Archibald Prymrois appointed — Tranſport of the regiſteris — Sir Robert Murray named one of the Lordis of Seſſione — Liſt of billis remitted — [Supplication of the tennentis of the Lands of Kilſyth and Bantoun] — James Bruce of Balfoullis — Earl of Levin — Parliamentis ſince the year 1641 — Ratificationes paſt — Committee of war — His Majeſties rentis — The army — Productione of the Honouris — Order to tranſport them to the hous of Dunnottor — Salvo Jure — Continuation of parliament — Royall aſſent. 624.

12. Act diſchargeing Mr Thomas Henderſone of his place as clerk to the Committee of eſtaittis. 626.
13. * Act ratifieing the ſeverall ſeſſiones of parliament ſince the year 1641 and the late treatie at Breda. 626.
14. Commiſſioun ffor taking inſpectione of his Majeſties rentis. 626.
15. * Act Salvo Jure Cujuſlibet 626.
16. * Act continewing the nixt meitting of parliament untill the 3 wedniſday of november nixt. 626.

A Comparative Table

OF

THE STATUTES

CONTAINED IN

FORMER EDITIONS,

AND INCLUDED IN

THIS VOLUME.

A Comparative Table.

Edit. 1644.	Act. Parl.
1644, Jun. 4.	MDCXLIV, IV JUNII.
1	1 p.96
2	11 97
3	19 100
4	20 104
5	25 106
6	26 115
7	32 117
8	33 118
9	34 119
10	35 121
11	36 123
12	39 123
13	40 126
14	41 127
15	42 127
16	43 127
17	44 128
18	45 128
19	46 128
20	47 128
21	48 129
22	49 129
23	50 129
24	57 130
25	58 131
26	59 136
27	61 137
28	63 138

Edit. 1644.	Act. Parl.
1644, Jun. 4.	MDCXLIV, IV JUNII.
29	64 p.140
30	67 141
31	68 142
32	69 142
33	70 143
34	71 143
35	72 144
36	80 146
37	81 155
38	82 155
39	83 155
40	84 156
41	85 156
42	86 156
43	87 156

Edit. 1646.	Act. Parl.
1645, Jan. 7.	MDCXLV, VII JANUARII.
1	1 p.161
2	2 161
3	3 161
4	4 162
5	5 164

Edit. 1646.	Act. Parl.
1645, Jan. 7.	MDCXLV, VII JANUARII.
6	6 p.165
7	8 167
8	9 167
9	10 167
10	11 169
11	12 170
12	13 173
13	14 173
14	15 174
15	16 174
16	17 176
17	18 179
18	19 181
19	20 181
20	21 182

1645, Jul. 8.	MDCXLV, VIII JULII.
1	1 p.190
2	2 191
3	3 191
4	4 192

Edit. 1646.	Act. Parl.
1645, Jul. 24.	MDCXLV, XXIV JULII.
1	1 p.193
2	2 193
3	3 193
4	4 194
5	5 194
6	6 194
7	7 195
8	8 195
9	9 195
10	10 196
11	11 196
12	12 196
13	13 197
14	14 197
15	15 198
16	16 198
1645, Nov. 26.	MDCXLV, XXVI NOV.
1	5 p.200
2	6 200
3	7 200
4	13 202
5	17 203
6	21 205
7	35 206
8	36 206
9	37 206
10	38 208
11	39 209
12	40 210
13	41 215
14	42 215
15	43 215
16	44 215
17	45 216
18	46 216
19	47 216
20	49 218
21	50 219
22	51 222
23	52 224
24	62 228
25	63 229
26	64 229
27	66 230
28	67 230

Edit. 1647.	Act. Parl.
1646, Nov. 3.	MDCXLVI, III NOVEMBRIS
1	7 p.231
2	10 233
3	19 234
4	36 236
5	47 236
6	57 237
7	58 237
8	59 238
9	65 239
10	66 239
11	76 241
12	77 242
13	78 242
14	100 246
15	101 247
16	108 249
17	110 250
18	117 253
19	118 256
20	122 257
21	132 258
22	153 259
23	154 264
24	156 264
25	178 266
26	179 266
27	209 267
28	210 268
29	217 268
30	220 271
31	221 271
32	231 272
33	232 273
34	233 274
35	239 274
36	244 274
37	245 275
38	246 275
39	247 276
40	248 276
41	249 277
42	320 283
43	321 283
44	322 283
45	323 284
46	324 284

Edit. 1648.	Act. Parl.
1648, Mar. 2.	MDCXLVIII, II MARTII.
1	1 p.289
2	2 289
3	9 292
4	11 292
5	15 295
6	17 295
7	18 305
8	20 309
9	26 310
10	29 315
11	30 317
12	40 317
13	47 319
14	48 320
15	49 321
16	0 321
17	50 322
18	92 324
19	99 326
20	105 327
21	106 327
22	108 330
23	109 331
24	110 331
25	111 331
26	112 332
27	113 333
28	114 333
29	115 334
30	116 334

Edit. 1649.	Act. Parl.
1649, Jan. 4.	MDCXLIX, IV JANUARII.
1	1 p.335
2	2 335
3	10 339
4	13 341
5	14 346
6	15 346
7	16 349
8	24 352
9	25 357
10	27 358
11	31 359

Edit. 1649.	Act. Parl.
1649, Jan. 4.	MDCXLIX, IV JANUARII.
12	32 p. 360
13	34 360
14	41 363
15	44 364
16	45 364
17	72 367
18	73 368
19	74 368
20	75 368
21	76 369
22	77 369
23	78 370
24	79 370
25	89 372
26	108 382
27	109 382
28	110 383
29	128 387
30	129 389
31	131 392
32	147 399
33	148 399
34	156 400
35	157 400
36	158 401
37	159 401
38	165 408
39	171 411

Edit. 1649.	Act. Parl.
1649, Jan. 4.	MDCXLIX, IV JANUARII.
40	172 p. 413
41	185 420
42	218 425
43	219 427
44	220 429
45	221 430
46	229 431
47	230 432
48	231 433
49	232 434
50	233 434
51	278 437
52	279 437
53	280 438
1649, Maii 23.	MDCXLIX, XXIII MAII.
1	1 p. 445
2	2 445
3	10 446
4	24 447
5	42 448
6	61 450
7	62 450
8	81 451

Edit. 1649.	Act. Parl.
1649, Maii 23.	MDCXLIX, XXIII MAII.
9	82 p. 459
10	97 460
11	105 462
12	147 467
13	148 468
14	160 470
15	161 471
16	205 478
*16	204 475
17	216 479
18	234 481
19	282 489
20	304 495
21	311 495
22	319 498
23	320 498
24	321 499
25	322 501
26	323 502
27	340 503
28	341 504
29	342 504
30	343 504
31	344 504

ACTA PARLIAMENTORUM

REGNI SCOTIAE.

A. D. M.DC.XLIII. —— A. D. M.DC.LI.

TABULA.

ACTA PARLIAMENTORUM REGIS CAROLI PRIMI ET REGIS CAROLI SECUNDI.

[Rescissa a. d. m.dc.lxi.]

Conventio tenta apud Edinburgh, xxii Junii, m.dc.xliii. — — Pag. 3.
Conventio continuata apud Edinburgh, iii Januarii, m.dc.xliv. — — — 60.

Parliamentum tentum apud Edinburgh, iv Junii, m.dc.xliv. — — — 95.
Parliamentum continuatum apud Edinburgh, vii Januarii, m.dc.xlv. — — 161.
Parliamentum continuatum apud Stirling, viii Julii, m.dc.xlv. — — — 190.
Parliamentum continuatum apud Perth, xxiv Julii, m.dc.xlv. — — — 193.
Parliamentum continuatum apud St. Andrews, xxvi Novembris, m.dc.xlv. — — 199.
Parliamentum continuatum apud Edinburgh, iii Novembris, m.dc.xlvi. — — 231.
Parliamentum tentum apud Edinburgh, ii Marcii, m.dc.xlviii. — — — 289.
Parliamentum continuatum apud Edinburgh, iv Januarii, m.dc.xlix. — — — 335.
Parliamentum continuatum apud Edinburgh, xxiii Maii, m.dc.xlix. — — — 445.
Parliamentum continuatum apud Edinburgh, vii Marcii, m.dc.l. — — — 513.
Parliamentum continuatum apud Edinburgh, xv Maii, m.dc.l. — — — 515.
Parliamentum continuatum apud Perth, xxvi Novembris, m.dc.l. — — — 541.
Parliamentum continuatum apud Perth, xiii Marcii, m.dc.li. — — — 578.
Parliamentum continuatum apud Stirling, xxiii Maii, m.dc.li. — — — 607.

Acta Parliamentorum

DOMINI CAROLI PRIMI

REGIS SCOTIAE, ETC.

Acta Parliamentorum

REGIS CAROLI PRIMI.

Apud Edinburgh,

XXII DIE JUNII, A. D. M,DC,XLIII.

CONVENTION of Estats Haldin at Ed^{r} the 22th of June 1643

SEDERUNT

The erle of Loudoun Lord Chan^{r}
M Hamilton
M Argyll
E Marishall
Southerland
Mar
Morton
Buchan
Eglintoun
Glencarne
Cassillis
Lithgow
Home
Perth
Dunfermline
Wigtoun
Kingorne
Roxburgh
Kellie
Buccleuch
Galloway
Annandaill
Lauderdaill
Carick
Kinnoull
Lindesay
Dumfreis
Queensberry
southesk
Weemiss
Lanerik
Airlie
Carnewath
Leven
Calander
Hartfell

VICOUNTS

Kenmure
Duddop
Arbuthnet
fendraucht

LORDS

Yester
finclar
Elphinston
Borthwick
Boyd
Balmerino
Burlie
Coupar
Cranston
forrester
Kirkcudbright
Fraser
Balcarras
Loure
Bargane
Elibank

COMMISSIORS of shires	
for Edr prinll	Sr Archbald Johnston of Wariſtoun & Mr George Winrame of Libbertoun
for fyffe	Arthur Areſkine of ſcottiſcraig and ſr Michaell Balfor of Deanmilne
for Lithgow	Dundas of that ilk and cochran of Babachla
for Lanerik	Lindeſayof Belſtanes & Hamiltoun of Dalſerfe
for dunfreis	Greirſoun of Lag and Johne Lowrie of Maxweltoun
for dunbartan	ſr Vmphra Colquhon of Balbie and ſempill of foulwood
for Stirline	Sr Thomas hop of Kerſe and William Rig of Athernie
for Hadintoun	ſr Patrik hepburne of Wauchtoun Sr Adame Hepburne of Humbie
for Berwick	Sr Wm Home of Aitoun and Johne home of Blacater
for ſutherland	Robert Gray of ſkibo
for Clakmanan	Sr Alexr Schaw of Sauchie
for Elgin	Alexr Brodie of that ilk
for Narne	Alexr Dumbar of Both
for Peeblis	ſr James Hay of ſmithfeild ſr Johne Veitche of Dawick
for Bute	Sr Robert Mountgomery of ſkelmurlie
for Air	Sr William Mure of Rowallan and fullarton of Corſbie
for Kinkardin	Sr Alexr falconer of Halkertoun Carnegie of Pittarrow
for Roxburgh	Sr Thomas Ker of Cavers and ellot of Stobs
for Perth	Patrik kynnaird of Inchſtuir and Grame of Inchbraikie
for Kirkeudbright	Johne Gordoun of Cardines
for Galloway	James Mcdougall of Garthland and agnew Sherriff of Galloway
for Aberden	Sr Alexr Irwin of Drum and fraſer of Philorth
for Renfrew	Cunynghame of Craigane and Johne Schaw of Greenock
for forreſt	Sr Wm ſcot of Harden & ſcot of Whitſled
for Argyll	Campbell of Glenvrquhie & campbell of Achinbrek
for Bamff	Abercrombie of Birkinboig and Mr James Hay

COMMISSIORS of burrowis	
for the brugh of Edinburgh	ſr Jo: ſmith & James Denniestoun
Perth	Robert Arnot
Dundie	Thomas Mudie
Aberden	Patrik Leslie
Stirline	Thomas Bruce
Lithgow	George Bell
St Andrews	Robert taileour
Glaſgow	James Bell
Air	hew kennedy
Hadinton	Johne Cocburne
Dyſert	david ſimſone
Kirkaldie	Johne Wamsone
Montroſe	Andro Gray
Coupar	George Jameſone
Anſtruther eiſter	Wm Hamiltoun
Dumfreis	Mr Cuthbert Cunynghame
Inuernes	Tho: ſheves of Muretoun
Bruntyland	Jo: Richardſone
Inuerkeithin	Mark Kinglaſsie
Kingorne	Henry Shank
Brechin	Thomas Skinner
Irwin	Mr Ro[t] Barclay
Jedburgh	Johne Rutherford
Kirkeudbright	Wm Gledoning
Wigtoun	Patrik hannay
Pittinweime	William Stevenſon
Dumfermline	James Reid
Anſtruther weſter	Norman farſon
Selkirk	Thomas Scot
Dumbar	James Purves
Dumbartan	Jo Sempill
Renfrew	Jo Sumervaill
Lanerik	Gideon Jack
Arbroth	Johne Achterlony
Elgin	Mr Johne Douglas
Peebles	James Wamsone
Craill	Andro Daa
Taine	Alexr forreſter
Culroſe	Alexr Eizat
Bamff	Mr Alexr douglas
forfar	David Huntar
Rotheſay	Johne Jameſone
Whitorne	Anthone Houſtoun
Lochmaben	Johne kennedy
forreſe	Jo: ſpence
Ruthglen	david ſpence
Northberwick	Geo Home
Kilrinnie	Harie Cunynghame
Lauder	Alexr Wilkisone
Annand	Homer Murrey
ſanquhar	Laurence Davidſone
Newgalloway	Rot Gordoun
Queenſferrie	Robert Hill

Protestation E Southerland

THE erle of Southerland protested that the calling and voiceing of the erle of Marishall befor him in this Convention should be wthout ꝓjudice of his right and precedence befor the ſd erle of Marishell And the erle of Marishell protested in the contrary

Protestaoun Eglintoun contra Glencarne

THE erle of Glencarne protested that the ranking calling and voiceing of the erle of Eglintoun befor him in this pñt Convention should be w'out ꝓjudice of his right & ꝓcedence or of any proceſse intendit by him agt the ſd erle of Eglinton theranent And the erle of Eglinton protested in the Contrare

Protestaon Dumfreis &c otra Lindeſay

THE erles of Dumfreis Queenſberry / Southeſk Weemiſs and Airlie protested that the ranking voiceing and calling of the erle of Lindeſay befor thame in this pñt Convention should be w'out ꝓjudice of thair right and ꝓcedence befor him they being in actuall poſſeſsion ten yeirs erles whill he wes onlie a Lord And the erle of Lindeſay protested in the Contrary in reſpect of the date of his patent

Protestaon Calandar otra Leven

THE erle of Calandar protested that the ranking and voiceing of the erle of Leven befor him shall be w'out ꝓjudice of his right and ꝓcedencie conforme to the date of his patent And the erle of Leven ꝓtested in the Contrary in reſpect he sate as erle in the last parlt wher the erle of Calander ſat only as a Lord And that his Ma: hes by his Lre ſigned wth his hand ſignified and declared that his intention wes ever that the erle of Leven should have the ꝓcedencie

Borthwick otra Yester

THE Lord Borthwick protested that the ranking calling and voiceing of the Lord Yester befor him in this pñt Convention should be wthout ꝓjudice of his right and ꝓcedencie befor the ſd Lord Yester

Act anent the sheriff of tevidaills commiſsion

THE noblemen Commiſsiors of shires and brughs conveened to this pñt Convention haveing ſeene and Considered the Commiſsion given in by the sherriffe of Teviotdaill and Sr Andro Ker of Graden q'by they are choſin comrs for the sherrifdome of Roxburgh to this Convention And als the Commiſsion given in by Sr Thomas Ker of Cavers and Wm ellot of Stobs Wherin they wer choſen comrs for the ſd shire together wth the instrumts taken the tyme of the election and produced by both of thame The convention finds that the Commiſsion given to the ſds Sr Thomas Ker and Wm ellot of Stobs is the more legall And therfor ordanis thame onlie to sitt in this Convention as Comrs for the sherrifdome of Roxburgh

Anent the Comrs of forfar

THE noblemen Comrs of shires and brughs conveened in this pñt Convention do find that in reſpect the small barons and freehalders of the sherrifdome of forfar did at the tyme of thar election agree vpon & offer limitations and restrictions to ſuch as they made choiſe of to be Comrs at this Convention contrare to the order and practicq, of this kingdome therfor the ſd election is vnlawfull And that Sr fletcher of Innerpeffer & carnegie of Balnamoone cannot by vertew of that Commiſsion have any place in this Convention And remitts to the sherriffdome of forfar to mak an new election in ane orderlie and Legall way

AT EDINBURGH 23 June 1643

Remonstrance agt Carnwath

THE QLK DAY Sr Archbald Johnstoun of Wariston in name and by warrant of the Comrs of shires And Sr Johne Smith in name of the Comrs from brughs declared that the barons & burgeſses being informed that Robert erle of Carnwath had in pñce of his Ma: and ſome noblemen traduced the proceedings of this kingdome qlks are ratified and allowed by his Ma: and estates of Parlt In ſo farre as vpon occaſion of the Comrs that wer direct to his Ma: in January Laſt thar preſsing libertie to go to London conforme to thair instructions and ſafe conducts The ſd erle of Carnwath in oppoſition therof and of the deſires of this kingdome proudlie averred and ſaid to his Ma: in the hearing of some noblemen theſe or words to that effect viz sir it is a ſtrange thing to ſee that they wer not ſatisfied to Come in agt yor Ma: to ruine yor Ma: thamſelvs Bot they muſt Come in lykwayes to afsiſt the rebellioun heere That therfor the comrs from shires and borrowis had Cōmanded thame to repſent the same to the estats as a buſsines wherin this kingdome was neerlie Concerned And that order might be given for Tryall and censure of the ſd erle accordinglie Qr vpon the Conventioun ordanit Maiſters to paſse & charge the ſd erle of Carnwath to come & ſiſt his perſone pñtlie wth all diligence befor the Convention as he will be answerable

Charge against Carnwath

FORSAMEIKLE as the Convention of estats haveing given warrant to Charge the erle of Carnwath to compeir wth all diligence and ſiſt his perſone befor thame as he would be answerable And the ſd erle being accordinglie charged by a maiſsor perſonlie apprehended and haveing promiſed pñtlie to appeire and give obedience to the Charge He notwthstanding in contempt & neglect of the judicatorie did neither appeare nor ſo much as ſend any answer to thame bot ſuffer thame to attend all this afternoone wthout so much as an excuſe for wch Contemt the Convention ORDAINS maiſsors to pas to the mercat croce of Edr And ther by opin proclamation to charge the ſd erle of Carnwath to enter

his persone in ward wthin the tolbuith of Edr therin to remaine vpon his awne expenſes ay & whill he be releived by the Convention And that he enter in ward wthin 12 houres nixt after the publicaon heirof Vnder the paine of ten thowſand pund ſcots

Protestaon Arbuthnet

THE Vicount of Arbuthnet protested that the ranking and calling of the vicount of Duddop befor him in this Convention should be wthout ꝓjudice of his right and ꝓcedencie befor him And the Vicount of Duddop protested in the Contrare in reſpect of the date of his patent and act of Councell following thervpon

AT EDINBURGH 24th June 1643

Decreit agt Carnwath

FORSAMEIKLE as vpon remonſtrance made to this Convention of estats by Sr Archibald Johnston of Waristoun in name of the Comrs of shires and Sr John ſmith in name of the Comrs for burrowis that the ſds barons and burgeſses had beene informed that Robert erle of Carnwath had malicioufflie traduced the proceedings of this kingdome qlks wer ratified by his Ma: and estates of parlt In ſo farre as vpon occaſion of the Comrs who went from this kingdome to his Ma: in Janii last thar preſsing libertie to go to London conforme to thair inſtructions & ſafe conducts The ſd erle proudlie ſd to his Ma: in pñce of ſome noblemen theſe words or words to this purpoſe Sr it is a strange thing to ſee that they wer not content to Come into this Kingdome agt you ſir to ruine yor Ma: thameselves Bot they will alſo Come in and aſsiſt this rebelliouне and ruine yow heir The Convention did thervpon ordaine the ſd erle to be charged forthwth to ſiſt his persone befor thame as he should be answerable who wes accordinglie charged personlie apꝓhended by ane maiſser and promiſed to appeir pñtlie bot compeired not Whervpon the Convention of estats fand that he had Contraveened that Charge And therfor Did ordaine him to be charged by opin proclamation at the mercat croce of Edr to enter his persone in ward wthin the tolbuith therof wthin twelff houres after the ſd proclamation vnder the paine of ten thowſand punds And Mr Jo: hendersone haveing accordinglie paſt yesternight at ſeven of the clock in the afternoone and by open proclamation and ſound of trumpet charged the ſd erle to enter his persone in ward conforme to the ſd warrant the ſd erle of Carnwath hes notwthſtanding diſsobeyed this Charge and hes not entered his perſone in ward Conforme therto as wes atteſted by the keeper of the tolbuith ffor wch Contempt the ſd Convention of estats finds and declares the ſd erle of Carnwath to have encurred and to encurre the ſd penaltie of ten thowsand pund conteaned in the Charge And ordains Lrs of horning poinding arreſtmt inhibition appriſing and all other execution perſonall and reall to paſse agt him for paymt therof in als free & ample maner as is vſuall by the Lawis of the Kingdome for paymt of debts vpon bands and obligations And that lres be direct at the instance of Johne Joſsy for paymt of the same to him for ſuch neceſsar effaires for qlks he shall receive order from the ſd Convention he alwayes being answerable for diſpoſing of the ſds moneyes according to the order of the ſds estats

Commiſsion anent the act of constitution

THE estats gives Commiſsion to the M: of Hamiltoun & Argyll / the erles of Mortoun Roxburgh Lauderdaill ſouthesk Lanerik Calander Balmerino and for the barons L Kerſe Wariſtoun Humbie Scottiſcraig Wauchtoun Rowallan Achinbrek Libberton Athernie / And to the comrs of Edr Perth Stirline Aberden Dumbartan Irwin St Andrews Glaſgow Bamff to meit together and conſult and debate of the conveniencie or neceſsitie of the Conſtitution of this Convention / and of the way of it

EDINBURGH 26th June 1643

Act of Conſtitution

THE noblemen barons and burgeſs ꝓſently Conveened Considering that this convention wes by proclamation in his Maties name and auctie lawfullie called for the great & vrgent neceſsities expreſt in the act made ꝓanent of the 12th day of May Laſt Have found & declared And heirby finds and declares that the same is a Lawfull free and full convention conſiſting of all the members therof And hath power to treate Consult and determine in all matters that shall be propoſed vnto thame als freelie and amplie as any Convention qtk hes beene wthin this kingdome at any tyme bygane

THE estats ratifies all acts ſentences orders and decreits given by thame in any particular qtsumever ſince the first diet of thar meitting and befor the act of constitution of the convention above written

Act anent Recording of Protestaons

THE Estats pñtlie Conveened Diſcharges the Clerk of the Convention To mak record / Give out extracts or tak anie notice in the publict regiſters of of anie Proteſtations Declarations or inſtruments made or to be made be anie maner of Perſon at this Convention wthout ſpēall warrand ꝓfore frome the ſaids Eſtats Q'anent thir pñts fall be his warrand It is alwayes declared that Protestations made be noblemen or others for precedencie are excepted out of this act

EDINBURGH 27 Junij 1643

Act for printeing the Declaration of the Aſſemblie

THE Eſtats pũtlie Conveend Haveing red & Conſiderit the Remonſtrance given in to thame / be the Cõmiſsioners from the Gñall Aſsemblie · As they doe returne hartie thanks to the Comiſsioners of the aſsemblie for ꝑ tymous advertiſment in maters of ſo great importance So to the effect the ſame may be the better made knawin to all the members of this Convention And they ꝑby the more enabled to give ꝑ reſolutione ꝑin Ordans the ſame to be furthw^th Printed And ꝑ^r thefe be warrand to his Mãties Printer for that effect

THE Estats Recõmende to the Cõmiſsioners of the Gñall Aſsemblie To Give warrand for tranſlating in Engleſh that Lr̃e written in Latine to thame from the Claſses in Zeland And that both the Latine & English Copies may be printed

Ed^r 28th Junij 1643

Cõmittie for furnishing the armie in Ireland

THE Convention of Eſtats pũtlie convened Gives heirby power & Cõmiſsion to the Earle of Weimes Lords Elphinston Burley & Loure the Lairds of Lag Phillorth Wauchton & Libberton & the Comiſs^rs of Lithgow Kingorne Kirkaldie & Air or to anie ſeven of thame their being tuo of Eache Eſtate / To agree wth merchants the beſt way they can for furniſheing of meale to the ſcots armie in Ireland not exceeding the nomber of ten thouſand bolls And for ꝑ^r effect to mak contracts wth the merchants in name of the Eſtats and qlk ſall be haldin as the deid of the Eſtats wth power to the ſd Comittee to give precepts to John Joſſie for payment of theſe ſoumes that ſall be agreed vpon for the meale And alſ wth power to thame to agree wth perſons for outrigging of ships to goe on againſt the Iriſh and dunkirk frigots ꝑ^r infeſt his Mãtes good ſubjects And to ſett doune in writt the articles and ꝯditions of the agreement And to report the ſame to the Convention And for the better furthering of the ſervice Recõmends to thame to bind for the moneys that are to be borrowed for outrigging & maintening thir ships Of the whiche ſoumes the Eſtats binds thame to ſie the ſd Cõmitte tymouſlie releived & fred of all skaith they may incurr ꝑthrow

Antrims papers

THE Convention Ordans a lr̃e to be written & ſent to his Mãtie acquainting him wth the depoſitions of the earle of Antrim and his ſrvands · And wth the Letters written be Nithisdail & Aboyne to the Earle of Antrim

THE Convention of Eſtats Ordans a copie of the depoſition of the earle of Antrim · Nane Diek & James Stuart his ſervants And of the Lr̃es written be the earle of Nithisdail & Vicount of Aboyne to the earle of Antrim and were fund vpon the ſaid earle when he wes apprehendit to be delyvered to Mr Welden to the effect he may acquaint the houſe of Parliam^t ꝑw^th

Antrims papers

Ed^r 29th June 1643

Most sacred soverane

Lr̃e to his Mãtie anent Antrim

AS vpon the firſt notice the Counceil reſsaved of the apprehending of the earle of Antrim / they did humble acquaint your Ma: ꝑw^th by ꝑ^r Lr̃e of the of this inſtant / So doe I now in name of the Convention of Eſtats preſent vnto vour Mãtie the encloſed copie / of the earle and his tuo ſervants depoſitions And of the Letters fund vpon thame whiche were written be the earle of Nithiſdail & Vicount of Aboyn q^r by your Mãtie will perceave this kingdome & the peace ꝑof neirlie entereſſed · And the preſumptions q^r vpon he wes firſt apprehendit to be now ꝯfirmed · And ſo & c^a · ſubſcribitur Loudon Can^llrius I P D Conven · Ed^r 29

Lr̃e to the speakers of the houſs of the Parl. of England

Right hono^ll

THE Convention of the Eſtats of this kingdome being informed that diverſe of thair ships going wth victuall and others neceſſars frome ſeverall p^rts ꝑof for ſupplie of the ſcots armie in Ireland have beene ſett vpon be ſome Irish and Dunkirk freegots full of Irish ſouldiours vpon our north Coaſt / thair paſsingers tortured / and the ships ſpoylled and brunt · Have Cõmandit me to repreſent to yow the hard condition o^r armie in Ireland will be brought to / if ſuche proportions of victuall & other neceſsars As wee ſpaire vnto thame / And w^thout whiche they could not have ſubſiſted till this tyme may not w^thout danger be tranſported frome anie part of this kingdome And ꝑfore earneſtlie to deſire yow to repreſent this to both houſs of Parliam^t / that not onelie ſhips of warre may be appoynted for guarding the paſsage betuix Scotland & Ireland according to the treattie / Bot alſo that ſome ſhips of warre be pũtlie ſent to guard our north coaſt ſince great nombers of Irish and dunkirk frigots doe appeir ꝑon q^r by both proviſiou to o^r armie and all other trafficq & Comerce be ſea Is hindred ·
I reſt & c^a ſubſcribitur Loudon Can^llrius I P Conven · Ed · 29 June

EDINBUR^T primo Julij 1643

Cõmiſsion for tryel of Traquaire & Carnewath

THE Estaits pũtlie conveined gives heirby warrand and commiſsioun to the Marq: of Argyll the Earles Caſſill^r Lauderdaill and Lindſay The lord^r

Kerſe Warieſtoun Humbie Scottiſcraig Thomas Durhame James Suord Mr Robert Barclay Mr Alex^r Douglas or to any ſeven of them Thair being tua of every eſtaite preſent The Chancellar being ſupernumerarie To meit and conveine at ſuch tymes and places as þej ſhall think fitting And to tak tryell and inquiſitione be oath of witneſſ (whom þej have power heirby to ſūmond befoir them wnder the pane of horneing) and be all wther law^ll meanes whither or not the Earle of Traq^r hes beheaved himſelff in ſuch a quyet maner as may conduce weill and moſt to þe peace of the kingdome And conforme to the act of parlia^t 16 of No^r 1641 And ſpēally concerneing his cariage in his jurney to york his acceſſioun to the croce peti^one and petitioun againſt the amitie And to tak the lyk tryell and inqui^one whidder or not the Earle of Carnewath ſaid to his mātie in oppo^one to the deſyres of the commiſſioneres Who went from this Kingdome in Jan^rie laſt Or the lyk word^e S^r it is a ſtrange thing to ſie that þai wer not content to come into this Kingdome to rwine yow themſelff But they moſt alſo come in to aſſiſt this rebellioun to rwine yow here. And as the ſd commiſſioners ſhall find occaſioun wpon depoſitiones of witneſſ or other tryell To give ordour for ſecureing of parties ather be cautioune or impriſſonment As they ſhall think fitt for the peace of the Kingdome And to report.

Ed^r 4 Julie 1643

THE anſ^r of the conventioun of þe eſtaits to the Remonſtrance and deſyres of the cōmiſſionars of the gñall Aſſemble

Ansuer of the Estats to the Commiſsioners of the aſsemblie

THE conventioun of the eſtaits of the Kingdome Haveing more particularly pervſeit the remonſtrance and deſyres of the cōmiſſioners of the generall aſſemblie Doe aknowledge And with greate cair and ſollicitude of heart Recent / the dangers of the reformed religion pairtly from the rebellious attempts of papiſts in Ireland pairtlie from thair power in Ingland wher they are ſo long in airmes and pairtlie from thair hopes in this kingdome wher they have thair plottis and correſpondence amongſt themſelffis and with thair confederattis abroad. And all theſe the greatter and the more to be taken to heart at this tyme / That they have the pretence of the kings ſervice and auctie / the confidence of the Queines zeale to thair profeſſioun and her power to promote thair deſignes / and the aſſiſtance of the prelaticall pairtie and of malignantts and many uthers / whom upon naturall and worldlie reſpect^e they have drawin againſt the oath of thair covenant into thair ſecreete / and have wnited into thair combina^one Theſe and the lyke dangeres expreſſit more fullie in the remonſtrance may be more then ſufficient to awake and ſtirr vp this kirk and kingdome to provyde for the preſervatioun of Religioun / the ſaiftie of the king and ſecuritie of the kingdome / which at this tyme In realitie can no more be ſeperated and divorced then in former tymes when it wes profeſſed both by king and people that the dangeres of on wer the dangeres of all that they had the ſame cōmon freindis and enemes and did ſtand and fall togidder: But whilles the eſtaits are thinking upon that which is remonſtrat wnto them / many other dangeres and diſtreſſes / which more directlie and immediatly threatten and preſe this cuntrey and kingdome / Offer themſelffis to be conſidered and are neceſſarie to be wniverſallie knowen that all men / Even ſuch as all this tyme have never takin religioun to heart may be made ſenſible of the preſent danger of thair native cuntrey wherin the private danger of everie mans / life / libertie / eſtaite and meanes is includeit. The lord^e of privie counſell / and the cōmiſſioners for conſerveing the peace have alreadie declaired that a treatcherous and damnable plott of the Iriſh / Ingliſch and Scotiſch papiſts / was begun to be diſcovered by lērs fund with the Earle of Antrum And by the depoſitioun of on of his ſervantis at his death: Now the depoſitiounes of the Earle himſelff and of another of his ſervantis both wpon thair othes / have bein read in face of the conventioun / Confirmeing what was written befoir of ſending ammunitioun to the north / and leavieing of forces in this kingdome and beareing that the Earle had inſtruc^nes for making peace betuixt the Ingliſch and Iriſch in Ireland Lykeas diverſe letters are ſent hither concerneing a ceſſatioun of armes in Ireland and the joyneing of the Ingliſch and Iriſch forces upon oath To go for Ingland to aſſiſt the king as is pretendit. But indeid to ſtrengthen and ayde the popiſch and prelaticall pairtie.

OUR merchantis and marineres are not only ſtopped and diſcuraged in thair treade by ſhippes / friggott^e and fliebott^e of dunkirk and of Ireland Haveing Iriſch cōmanders and ſouldieres / But thair ſhippes ather takin or brunt / They ſpoyled of thair goods and moneyes and thair perſounes torterred kiped captives or ſent away quyte naked Wherby his māties ſubjects have ſuffered more by ſea upon the ſudden and in a verie ſhort tyme / then they did ſuffer all the tyme of our lait trubles: And no other cauſe of all this violence and crueltie pretended But a cōmiſſioun and warrand from authoritie

THE Earle of Newcaſtell^e forces horſe and foote in greate numberes readie lyeing at the borderes and readdie / when they ſālbe commanded to mak incurſioun upon the ſouth pairts of the kingdome As many ill affected are no les willing To mak trubie in the North

IFF the wnhappie differences betuixt his mãtie and his pliãt ſall not be determined in a parliam'rie way but by the ſuord Not only ſall the airmie in Ireland be in danger to be loſt But this whole kingdome wilbe involved in the cõmon calamitie

NOR is it wiſdome againſt the continuall rumo'r and threatinings of forreine invaſioun to be ſo negligent and ſecure as if thair wer no appeirance or poſſibilitie of danger from w^th^out Experience haith proven the contraire in former tymes And altho thair wer no uther ground / Reaſoune doeth teache That princes and ſtates wſe to obſerve the opportunities of diviſioun and breaches amongſt thair niethboures

ALTHOUCH the cauſ^e^ of calling ane conventioun at this tyme wer wrgent eneuch yet the providence of God / watching over this church and kingdome for good have diſcovered diverſe of the dangers of religioun and of the kingdome and broucht them to licht in this opportunitie whill the conventioun of eſtats are ſitting As if they had bein called togidder to be informed of them and to provyde remedies againſt them And q'foir as the conventioun is reſolved To tak this mater / Which is of ſo publict and deip concernement into þair ſerious conſidera'ne So doe they deſyre and requyre that the cõmiſſio'r of the aſſemblie Who according to thair duetie and the laudable exemple of the aſſemblies of this kirk in former tymes have repreſented the dangeres of religioun / Will alſo with diligence think wpon the beſt and moſt powerfull remedies and remonſtrat them to the conventioun That by the bliſſing of God wpon thair ioynt endevoures ſo many approaching and immenent miſeries may be turned away and the religioun and peace wch God almichtie of his ſingular mercie hath grantit to this church and kingdome / may be preſerved and tranſmitted wnto the efter generatiounes / W^ch^ ſalbe honour to God / ſaiftie to the King and his poſteritie / and happines to his people

EDINBURGH 4 July 1643

Coñ to John kenedie for outrigging of tua ships

THE conventioun of eſtaites gives heirby power and commiſſioun to Johne Kenneday burges of Air To repair with all diligence to the tounes of Air Irwin / or any other place in the weſt ſea coaſt And thair to agrie the beſt way he can with a ſhip and pinnace To goe out againſt theſe Iriſch and Dunkirk friggottis that doe ſo much truble and ſpoyle his mãties ſubjects of thir kingdomes And to doe thair beſt by all poſſible meanes in perſewing the ſaids friggottis and taking the pyllat'r being þin And in guarding of the paſſage With power lykwayes to þe ſaid Johne Kenneday To tak areiſt and preſſe any cannon or ordinances that ſalbe fund in theſe boundis to put in þe ſaid ſhip and pinnace if þej have not ſufficient of thair awin And qlk cannon the eſtaits declaires they wilbe anſrable for the redelyverie thairoff or iuſt ſatiſfac'ne for þe ſame to the awneres þairoff efter the ſervice is done And ordaines the proveſt and baillies of Irvein and Air and all uther magiſtrattis to burgh and land To concur and be aſſiſting to þe ſaid Johne Kenneday in everie thing that may contribute to the owtreiking of the ſaid ſhip and pinnace As þej ſalbe required thairto by the ſaid Jo^n^ Kenneday Who is authorized by the eſtaits to agrie for outreiking of the ſame And the eſtaits declaires they will ſie the ſaid Jo^n^ Kenneday thankfully and tymeouſlie releived and repayit of q^t^ he ſall agrie for / diſpurſe or give out for outreiking of the ſaid ſhip and pinnage and maintainance thairoff Ay and whill they ſalbe diſchargeit of the ſervice by the conventioun of eſtaits or any haveing power from them for that effect And the ſaid Johne to mak ſpeidie report of his proceidings to the conventioun

EDINBURGH 5° July 1643

Warrand for Six Canon

THE conventioun Ordaines the lord Generall To delyver to Alexander Gray theſe Six minion braſe gun with the tuo feild peices agreid wpon be the cõmittie appoynted for taking courſe anent the outreiking of ſhips As the ſame ſalbe particularlie deſignit be the ſd cõmittie Wheranent thir pũts ſalbe to the lord Geñe^n^ a ſufficient warrand

EDINBURGH 6 July 1643

THE qlk day M *Robert Douglas* In name of the Comiſsioners of the Gñal Aſsemblie Gave in to the Eſtats the Remonſtrance *following Q'of the tenor followeth*.

Remedies of the Dangers of Religion

TO the honorable conventioun of eſtaits The humble Remonſtrance of the cõmiſſio'r of the geñell aſſemblie Concerneing the remedies of the pñt danger of Religioun

ALTHOUCH it be more eaſie eſpeciallie in ane tyme of many corruptiounes and greate difficultie to complaine of diſeaſes and dangers than to find out the richt cure and remedees: Yet from o^r^ conſcience of dewtie in the charge committed wnto ws at this tyme from our confidence in God / Whois providence hath diſcovered the dangeres And will in his own tyme provyde ſufficient remedies by the example of the geñell aſſemblies of this kirk And in obedience to your Lp̃es commandis we find a neceſſitie layed wpon ws And are moſt willing according to o^r^ knowledge to ſhow what we conceave to be the beſt remedies Leaveing the furder conſideratioun of them to yor Lp̃s wiſdome. Pollitick and worldlie men are indifferentlie diſpoſed towards

everie religioun And doe conceave that the knowledge of a few principles joyned with the profeſſion of religion is ſufficient for ſalvatioun / without diſcending into particular differences and contraverſies. But this cannot be a remedie / ffor we know that herreſies and sectꝭ have bein of old and moſt ſtill be / that thoſe who are approved may be made knowen. Reconceilleres who wnder the ſpecious pretext of pacificaᵒne betuixt proteſtants and papiſts Intend no uther thing But in a ſubtile and craftie way To reduce the proteſtant kirks into Antichriſtian ſervitude and in the golden cup of the whore of Babell To propine agane wnto ws all thair abominatiounes and filthienes Theſe are alſo to be rejected and abhorred as preſenting ws with deidlie poyſone inſteid of remedeis. A third thair is But ane wnſufficient remedie / We doe with all thankfulnes and reverence / as becometh good ſubjects Receave the kings mãties declaratioune of his intentioune for mantaining our religioun And eſteim it no ſmall happines to leive wnder a Prince Orthodox in the faith and a nurſe father of the kirk: But his mãties diſpoſiᵒne to religioun / can nather obleidge his royall ſucceſſoures / as the frequent change of Religioune in Ingland and other kingdomes with the change of thair Princes / hath taucht ws: nor can it preſerve ws frome the plotꝭ ꝛ power of papiſtes / As we have even now learned by the conſpiracie of the Iriſch Ingliſche and Scottiſch papiſtes: If þej have bein devyſeing miſcheiff againſt ws in the verie tyme of his mãties declaratioun / What may be in all reaſoun expected efterward from thair immortall haitreid and wnceſſant working: And what may we looke for preſentlie / if whill they are now in airmes thair furie ſhall have ſucceſſe and they ſuffered to prevaill. We pray God ſave the King But we may ſay curſed be thair anger for it is feirce and thair wraith for it is cruell. The firſt true remedie / which chriſtian pietie and prudence miniſter wnto us Is to receave the love of the treuth / and to labour for the power of godlienes It is never eneuch obſerveit / That papiſtrie / Arminianiſme and diverſitie of ſects Are the iuſt iudgement of God wpon many in the reformed kirkꝭ for thair formalitie in religioun: Without this on remedee / all other remedies will want the bliſſing of God and prove wnproffitable.

A ſecond remedie is to abhorre and deteſt poperie not wpon conceatt or common oppinion / But from the particular and diſtinct knowledge of the groſſe hereſies in doctrine / manifold idolatrie in worſhip / and cruell tyrrannie in governement / which it teacheth defendeth and practiſeth: from which the lord in a wonderfull mercie hath delyvered ws; Againſt which ſo many thouſandis of the holy and faithfull martyres of Chryſt have borne record of the word of God and of the teſtimonie of Jeſus Chryſt / and waſchen thair robbes in the bloode of the lamb / And by which the lord ſufferreth ws and other reformed kirkes this day to be threatned again Becaus we have bein wnthankfull for our delyverance Not knowing the greatnes of the ill from wᶜʰ we have bein delyvered / nor conſidering the heavines of that Antichriſtian yock if it ſalbe again wraithed wpon oᵘ neckes / which would to God all Kings / Princes / Reipublicts and people would tak to hearte.

THE third is That all trew patriots and profeſſoᵘꝭ of the reformed religioun may learne to diſcerne and know the enemies of the kirk: wᶜʰ wilbe fund not to be papiſts only But malignants alſo Who wnder culour of the ſame profeſſioun with ws oppoſe themſelffis to the preſervatioun of religioun heire wntꝭ the reformaᵒne of religioun into Ingland / no leſſe then papiſtes: Who mak bandꝭ contrairie or preiudiciall wnto oᵘ naᵒnall covenant / Who frame and preſent petitiounes / croſſing the petitiounes of the cõmiſſioneres of the generall aſſemblie / give informaᵒne to the Kings mãtie / contrairie to þe informaᵒnes of the kirk and kingdome: Doe oppoſe the publiſching of the neceſſarie declaraᵒnes of the kirk: reid paperes in the aſſemblies of Godꝭ people / without warrant from the kirk: And offer to preſbetries in all the quarteres of the kingdome / papers contrairie to the declaratiounes of the cõmiſſioneres of the aſſemblie: Doe hold thair meitings againſt the conventioun of eſtaits And if þei could find miniſterꝭ to joyne with them wald keip eccleſiaſticall aſſemblies againſt the aſſemblies of the kirk which is the moſt factious the moſt ſcandelous / and the moſt dangerous way of deviſioun and ſeparatioun that haith bein hard of in any kirk or kingdome And thairfoir by eccleſiaſtick cenſures and civill puniſchmẽtꝭ to be ſpeidilie and powerfullie ſuppreſſit as a moſt pernitious practiſe Tending to the deſtructᵒne both of religioune and peace of this kingdome and directlie oppoſite to the propogatioune of the goſpell and reformatioun of other kirks / Which God by his providence is bringing to paſſe And is ardentlie deſyred ꝛ conſtantlie hoped for by all the Godly. The fourt is if efter all good meanes are wſeid to reduce the enemies of religioun whither papiſts or malignants to repentance and obedience the kirk be conſtrained by thair obſtinacie to proceid to the ſentence of excommunicatioune / ſome ſolide courſe may be takin that the civill puniſchmẽt which is according to law may be reallie and tymeouſlie inflicted that nether the law be eludeit nor any delinquent for his greatnes or any other reſpect be exempted or ſpaired.

THE fyft is Becaus thruch want of ſure and tymous intelligence a greate pairt of the people are ather left to wncertane rumoures or ſlichted by the negligence of common beareres Or abuſeit with malignant informaᵒnes that þei nather know thair awin danger / nor the danger of religioun ꝛ cuntrey A ſolide ordour would be ſet doun Wherby intelli-

gence may goe furth from Ed^r to everie ſhyre and ſo to everie particular paſtor That the people may be informed both of ꝑ danger and dewtie / And ane accompt takin of the faithfulnes of men to whom materes of ſo neceſſarie and publict concernement ſalbe cõmitted and of particular miniſteres how thej acquite themſelffis in matteres of ſo greate traiſt

THE ſext is / That for the more ſpẽall applyeing of ſome clauſſ of our nationall covenant againſt the preſent evell certane articles may be framed to be ſubſcryveit and conſented wnto by all the weill affected / That we may be more ſtronglie wnited amongſt our ſelffis in the cauſe of God And that all malignantis and ſecreit enemies who hyd themſelffis wnder thair ſubſcriptioune of the covenant may be diſcerned and diſcovered.

THE ſevent is / That a remonſtrance be ſent to the kings mãtie from the honõll conventioune of eſtat^t Expreſſing the pũt dangeres of the kirk and kingdome with a renewed ſupplicatioune for wnitie in religioune and wniformetie of kirk governement / for diſbanding of all papiſts forces / and for wſeing of meanes for the Queines converſioune

THE eicht is / Althouch we be verie weill affured of the wiſdome and good affectioune of this honõll conventioune for wch as a meane of greate happines to this kirk and kingdome at this tyme / We heartilie bliſſe the lord: Yet from the neceſſitie of our duetie / which enforceth ws to exhort civill poweres to all vigilancie and faithfulnes: And according to the laudable example of the generall aſſemblies of this kirk in former tymes of publict danger / We moſt creave leive to intreate and exceite yor lꝛes ſpeidily to think and reſolve wpon the wayes for the ſaiftie and ſecuritie of the kingdome againſt inſurrec^ne of papiſts and malignantis from within / and invaſioun from without: Which may alſo be a meane to try and diſcover the mynds of the diſaffected / And to commit ſo greate truſt to none But to ſuch as are knowen to be zealous of the ſaiftie of Religioun / of the Kings honour / and peace of the kingdome. The nynt is Becaus the heartis of people are ſecure and ſlow in apprehending of dangeres / and the enemies ſuggeſt that thair is not any greate cauſe of feare: Whenſoever any lẽrs of negotia^ne and traffiq, betuixt papiſts or malignā^t heir and in other places are intercepted / Or any plottis or conſpiracies diſcovered / the ſame without reſpect to any perſounes q^ſoever may be publiſched in print and ſent throuch the Kingdome That all may be wairned of the danger / and be in readines to uſe the beſt meanes for thair ſaiftie And that ſuch wiked inſtrumentis may be cenſured and puniſched. The tent is That for the credite of the goſpell / for keiping the publict faith of the kingdome and for promoteing the deſyred and intendit wnitie in Religioune and wniformitie in kirk governement All the articles of the treattie of peace betuixt the tuo kingdomes be jnviolablie obſerveit and iuſtice done without partialitie upon the contraveineres. And foraſmuch as at the tyme of reformatioune and in o^r lait declaratiounes and remonſtrances in the tyme of o^r trubles and ſince the expreſſiounes of o^r deſyres to wnitie and amitie with the kingdome of Ingland have bein many and large / And we have many tymes from o^r feilling and feares made oppen profeſſioune That the not reforming or indangering of Religioune there hath ane influence wpon o^r religioune and the mutuall peace of the Kingdomes: Wee doe humblie intreate / according to the example of the geñell aſſemblies of this kirk That this honõll conventioune may be pleaſeit to tak into thair greaveſt conſideratioune the renewing of the league and aſſocia^ne with Ingland for defence of the Religioune againſt the cõmon enemie And how farre the ſame may be extendit againſt prelacie and popiſch ceremonies for wniformitie in externall worſhip ꝯ kirk governement.

THUS have we we poynted at the priñll remedies which we humblie preſent to be more particularly reſolved wpon by this honorable conventioune as a mater worthie of the graveſt deliberation and the greateſt caire and diligence / Wherin as we ſhall be requyred we ſhall moſt willinglie according to o^r place and calling Contribute our counſell^ and indevoures Beſeitching God who never leaves his people when truble drawes neir / firſt to direct / and nixt to fulfill all your counſell^ to his owin glorie and the publict good.

EDINBURGH 7 July 1643

Warrand for delyvery of Capt Watſones ſhip

AT Ed^r the ſevent day of July the yeire of God J^m vj^c fourtie thrie yeares Anent the ſupplicatioun preſented to the Noblemen and commiſſio^r^ of the eſtaits pũtlie conveined be Capitane Andro Watſoune Mr Robert ferquhar merchant and baillie of Aberdein and James Stewart merchant burges of Ed^r ordiner furniſcheres of the airmie in Ireland makand men^ne That whair the greate botte perteining to the ſaid capitane being laidned in the north with beir belonging to the ſaides Mr Robert farq^r and James Stewart the ſame was laitlie ſeaſeit wpon be ſome Iriſh or dunkirk friggottis and caried to Ireland for the wſe of the rebell^ thair And now the ſupplicantis are informed that by a ſpeciall providence the ſaid boatt and victuall is come to Ballantrae perteining to the lord Barganie / Humblie deſyreing thairfoir the ſaid^ noblemen and cõmiſſioneres to give cõmand to ꝑe ſaid lord in maner and to the effect wnderwrin Lykas at mair lenth is conteined in the ſaid ſupplicatioune Whilk being read hard and conſiderit be the ſaid^ noblemen and commiſſioneres and they finding the deſyre thairoff to be reaſonable They have thairfoir ordained and

ordanes the ſaid lord Barganie to delyver the ſaid boatt and victuall and goods being therin to þe ſaidꝭ ſupplicants or þr ꝓſſiorꝭ wheranent thir pñts ſalbe to him ane ſufficient warrand
Hamiltoun brother to Barganie being pñtly pñt in name of the lord Barganie And the Earle of Galloway for himſelff proteſted that this ſentence ſalbe without preiudice of þair ſeuerall richtis of admiraletie As accordes of the law.

EDINBURGH 8 July 1643

Act for reſtraint of ſhips

FORSAMEIKLE as diverſe ſhippes barkes and wtherꝭ veſſellꝭ perteining to his Mäties good ſubiectꝭ of this kingdome have bene ſpoyled robbed / and brunt / and the ſailleres and paſſingeres cruellie tortoured demained and made captives be ſome friggottis of dunkirk or the jriſch rebellꝭ Who have awaited the ſaids ſhippes and veſſellꝭ wpon the north coſtis and wtheres pairts of this kingdome / as þej wer in thair lawfull courſe of cõmerce and treade Eſpecially towardꝭ Ireland for ſupplie of the ſcottiſch airmie thair / Reſolveing þairby not only to wndoe that airmie for want of neceſſarie furniſching from this Kingdome; But alſo to interrupt the courſe of treade by ſea / to the greate preiudice of the natioune; And thir robberes have ſo ſtrenthned themſelffis by increſſe of thair number / as no ſhippes can goe from this without hazard. Inregaird q'off the noblemen and commiſſioneres now preſently conveined finding it thair bund dewtie in this nationall and extreame exigent to provyde for his good ſubjectes and ſecureing of the natioune from thir / and the lyk robries and piracies Eſpecially by making wſe of the ſhipping of this kingdome for that effect as þej find occaõne Which cannot at this tyme be ſo weill imployed as in the ſervice foirſaid Thairfoir ordaines maiſteres or meſſrꝭ of armes To pas to the mercate croce of Edr and wtheres places neidfull And thair be oppen proclamatioun To command charge and inhibite all and ſindrie awneris maiſteres marineres or pyllotts of ſhippes That nane of them preſume nor tak wpon hand to wndertak any voayage or ſend or conduct any ſhip belonging to any of the ſubjectꝭ of this kingdome furth of the ſame Without expreſſe licence and warrand in wreit from the ſaid conventioune of eſtaites Till the firſt day of Auguſt nixt wnder the pane of confiſcatioune of the ſhip and goods Wherin if they falye the ſaid paine ſalbe execute wpoune them Without favoure

EDINBURGH 8 July 1643

Most Sacreid Soverane

Lre to Mätie anent the armie in Ireland & Piratts

THE greate extremities of the ſcottiſch airmie in Ireland throw want of the pay due to them The greate and heavie burdings this Kingdome lyeth wnder by not tymeous payment of the remander of the brotherlie aſſiſtance due from Ingland and the deip ſenſe of the dangeres and trubles of religioune your mäties perſoune and peace of thir Kingdomes Moved the lordꝭ of yor mäties ſecreit counſell with advyſe and concurſe of the cõmiſſioneres for the peace and cõmon burdings To call this conventioun So haith it bein our cheiff caire ſince our meiting To contribute our beſt advyſe and aſſiſtance for ſo neceſſarie dueties And becaus nothing is more preſſing then the neceſſitie of the ſcottiſch airmie we have begun to tak this firſt to our conſideratioun And ar endevoureing by all poſſible meanes to raiſe moneyes heir to ſupplie thair preſent wantis / and provydeing for thair future interteinment Wntill ſome courſe be tane by the houſſ of parliament for ther ſatiſfacõne Conforme to þe lait traitie made to that effect Ther is a greate impediment which doeth hinder victuall and uther proviſiounes ſent to them and makꝭ þair conditioun the more hard which we think fit to repreſent vnto yor mätie That thair be many ſhippes friggottes and fliebottꝭ from Dunkirk manned with ſpaingeardꝭ Iriſches and uthers who tak ſpoyle rob or burne all ingliſch or ſcottiſch ſhippes tortour demaine and keip captives the ſailleres and paſſingeres wheroff we cannot but very ſenſiblie and think it ſtrainge that ſince þr is no warres betuixt yor mätie and dunkirk they ſould in ſuch ane avowed way commit acts of ſo great hoſtilitie againſt this kingdome And becaus the parliament by the articles of the treattie are oblidgeit to guard the jriſch coſt with ſome ſhips for that effect And ſall from tyme to tyme render yor mätie ane accompt of or proceidings wherin we reſolve to wak with that integritie as may witnes that nothing is ſo deare to ws as the good of religioun yor mäties honor and ſaiſtie and the peace and proſperitie of yor Kingdomes / So praying to God to bleſſe yor mäties long & happie Reigne over ws we reſt
ſic ſubr Loudoun Cantius I P D Convent.

EDINBURGH xi July 1643

ORDERS for keiping the meiting of the Conventione

Orders of the Convention hous

IT is thocht fit for the better ordouring of the meitings of the conventioun The conventioun ſall meit alwayes at tuo in the clok efternone And that þe ſeverall eſtaits meit ilk day at nyne houres in the morneing And the pticular committies To meit at Ten houres And that theſe who ar wpon theſe cõmitties meit with thair ſeverall eſtaites at nyne houres and once being met then to remove to the committie the reſt of the ſeverall eſtaitꝭ ſitting ſtill

It is thocht fitt that the rollꝭ of the conventioun be called at the dounſitting of each meiting and who bies not pñt and anſrꝭ to the calling of his name if he come in thairefter at þe ſame dyett to pay the penaltie following viz Each nobleman 18 ß Each

barroune 12 ß Each burges 6 ß Whilk is the penaltie appoynted for theſe that are ſero And if any ſall happin to be abſent from ane haill ſeſſioun of the conventioun To pay ten pund each nobleman Ten mks each barroune and ane dolor each cõmiſſior of burghe And that no licence nor excuiſe for abſence be allowed But by the Lord Chancellour with conſent of the houſe And ordanes the maiſterꝭ as they ſall receave a roll from the Clerk of the abſentis or theſe that are ſero That þej ſuffer them not to enter the houſe wntill firſt they pay thair vnlawes to be put into a box to be keipit by the Clerk And declaires that if any refuiſeing to pay and ſhall not be ſufferred to enter by the meſſer that each dyets abſence that way ſalbe equivalent and ſubject to the lyk penaltie as ordinarie abſentis

EDINBURGH xiº July 1643

Comittee for the Remedies &c

THE conventioun gives cõmiſſioun to the Marques of Argyll The Earles of Merſchell / Caſſillꝭ / Dumfermeling / Lauderdaill / Lindſay / Leven / Balmerinoch / Lordꝭ Kerſe / Wareſtoun Humbie / Lairds Scottiſcraig / Libertoun / Garthland / Brodie and drum / And to the cõmiſſioners of Edr / Perth / Dundie / Aberdein Dumfries / Irveing / Sr androis / and Stirling / To conſider of the remedies of the dangeres of Religioun / And to report thair oppinione what they think moſt fitting to be done therin

EDINBURGH 13 July 1643

THE Conventioun of eſtait gives heirby power to the cõmittie appoyntit for tryell of the informatiounes given in againſt the Earles of Traquair and Carnewath to delegate ſuch of thair nomber or otheres as they ſall think fitting to examine ſuch pſounes as they have occaſioun to mak wſe of as witneſſ þfin And are not pñtlie in toun

THE conventioun ordaines þair anſr to the remonſtrance of the commiſſionerꝭ of the geñell aſſemblie Togidder with the ſecond remonſtrance geven in to them containing the remedies of the dangeres of religioune to be furth with printed And þat warrand be geven to his Mãties printer for that effect

EDINBURGH 14º July 1643

THE QLK DAY Mr Corbat gave in to the conventioun the declaratioune wnder wrin from the houſſ of the parla of Ingland Whilk being red in heareing of the eſtaits They recommend to the cõmittie for the remedies to Conſider þoff &t of þr oppinion qt anſr ſalbe returned þto Of the qlk declaracõne the tenor followes

Die Martis 27 Junij 1643

Declaration of the Parliamt of England

WE the Lordis and cõmons aſſembled in the parliament of Ingland cannot doubt but our breithrein the eſtaits of the Kingdome of Scotland will duelie conſider with what difficulties miſeries and diſtracõnes we ar inforced daylie to wraſtle even for the lyffe and being both of the church and ſtate wherby our endevoures and meanes are diverted from many occaſiounes much importing the honour and ſaiſtie of this kingdome amongſt wch we tak it for a greate wnhappines and inconvenience That we cannot ſo ſpeidily and readily ſend our committies to the kingdome of Scotland as we intendit and verie earneſtly deſyreit to treate and conclude theſe materes which concerne both kingdomes inreſpect of the ſcottiſch airmie now imployed for our aſſiſtance in Ireland and the ſatiſfactioun of the Arrieres due to them and the uther debtꝭ for which we ſtand ingadged to that ſtate And for uther materes concerneing the good of both Kingdomes / In which notwithſtanding we have bein interruptit by the manifold dangerous practiſes late diſcovered wch requyred a preſent inquiſitioune and preventioun yet in the mideſt of all our diſtemperes We are reſolved that ſome memberes of both houſes of parliat ſhall be forthwith ſent into Scotland for the purpoſes abovementionat And with all poſſible ſpeid doe prepaire ſuch inſtructiõnes as wilbe neceſſarie in that behalff / and in the meane tyme have ſent this bearer Joñ Corbet Eſqr to acquaint or brethren with or pñt ſtate and conditioune / And to informe them truelie of the groundis of or proceidings / that all miſapprehenſioune and aſpertiounes may be takin of and removed / Which we doubt not will by the malice and ſubtilitie of the enemies / the evell counſellorꝭ about his mãtie be indevoured to be caſt wpon ws / We have lykwayſe cõmanded Mr Welden now reſideing with yow and this ſent to preſent to the ſtates of that Kingdome a declaratioune ſent by ws to the lordꝭ of ſecreit counſell in Nor laſt / the anſr wherwnto we hawe ſince forborne to preſſe both inregaird we conceaveit it could not be effectually made but by the aſſemblie of the eſtaits / And we have bein for the moſt pairt enterteined with treaties and propoſitiounes Out of which we have ſome hope a happie peace micht have bein produced / Wherin being fruſtrated by the prevailling pairtie of papiſts and other ill affected perſounes about the King We have greate cauſe to commend it to the chriſtiane wiſdome and brotherlie affectioune of the ſcottiſch natioune and ſtate to conſider how by thair concurrent advyſe and aſſiſtance the factioun of papiſch Bps and other malignants of this kingdome may be ſuppreſſed / the ruine of religioune and libertie here prevented and thairby thair awin jnjoyeing of both the better / preſerved / and eſtableiſched / Towards the affecting wheroff we

conceave it will very much conduce / that by the conſultatioun and advyſe of the aſſemblie of divines intendit to be had heire wpon the firſt day of July nixt the reformatioun in church diſſipline and ceremonies ſo much longed for by ws may be agreid and confirmed and haveing bein invited by publict letteres from the generall aſſemblie of the church of Scotland and lordꝭ of the ſecreit counſell to a neirer wnione with thoſe churches in mater concerneing religioun and church governement / We doe with more confidence deſyre and exſpect that ſome godlie and learned divynes may be ſent from thence who may aſſiſt in that aſſemblie for the accompliſching a wark ſo much tending to the honour of God the happines peace and more firme conjuncᵒne of both natiounes / And thairfoir doe lykwyſe verie earneſtly commend the ſame to the judgement and reſolutioun of the eſtaits of Scotland ·

Sic ſubʳ

Jo: Browne Cleꝛ Parliamenti · H Elsynge Cleꝛ Parl d. Com.

EDINBURGH 14 Julij 1643

Citation agains Huntlye Ogilvie &c

THE conventioun of eſtaits pũtlie conveined for certane good conſideratiounes tending to the weill and peace of the Kingdome Have thocht fit and concludeit And accordinglie ordaines meſſᵉꝛꝭ of armes to paſs And in his mãties name and auctie cõmand and charge George Marqueis of Huntlie / James Lord Ogilvie / Johne lord Herries / George lord Bamff pũtly if they can be apprehendit and ſalyeing thairoff at thair duelling places and be oppen proclamaᵒne at the mercate croce of the heid burgh of the ſhyre qʳ þej duell To compeir pũtly befoir the ſaids eſtaits at Edʳ or q' it ſall happin them to be for the tyme the fourt day of Auguſt nixtocum / Provydeit to find good and ſufficient cautioune / for keiping of the peace and behaveing themſelffis in a peaceable and quyet way / Conforme to the lawes of the kingdome / And to heir and ſie further ordoʳ tane for the good and peace of the Kingdome / As the eſtaits ſall think fitting Wnder the paine of rebellioun and putting of them to þe horne With certificatioun to them if they failye and compeir not Letters wilbe direct ſimplr to put them to the horne And it is heirby declareit That for preventing all the occaſiouns of excuiſe for þe not appeirance of any of the ſaidꝭ perſounes be reaſoun of civill hornings That þej ſall be protectit by the eſtaitꝭ be the ſpace of fyve dayes befoir þ compeirance and for the ſpace of ten dayes þefꝭ Diſchargeing &c

EDINBURGH 17 July 1643

Ansuer of the Estats to the Declaration of the Parliamt of England

THE Noblemen / Commiſſioneres of Shyres and Burrowes aſſembled in the Conventioun of eſtaits of the kingdome of Scotland from thair naturall affecᵒne to their brethren in England / thair chriſtiane ſympathie of the memberes of the ſame bodie and the apprehenſioune of the lyk dangeres jmminent wnto themſelffis / and threatining thair awin religion and peace / Are very deiplie affected with the ſenſe of the diſtractiounes and diſtreſſes of the kirk and Kingdome of Ingland And find within their bowellꝭ thair fellow feillings daylie to grow with the increaſe of the trubles of thair breithrein / As if they were in the lyk maner and meaſure afflicted themſelffis · And thairfoir as they are aſſured of the willingnes of the honⁿ houſꝭ of parliaᵗ in every thing to acquyte themſelffis faithfullie to this Kingdome So being wnwilling to preſſe them above thair power They have bein and are ſo far from giveing place to any miſapprehenſioun or ſiniſter conſtructioune / that this kingdome haith with much patience and love wreſled with many difficulties / and wndergone greater burdings then they are weill able to beare / Throuch the want of the Arreares due to the airmie in Ireland and of the brotherly aſſiſtance proceiding from ſo much affectioune / Concerneing which they had reſolved befor the comeing of the bearer / To direct one from themſelffis with full inſtrucᵒnes / whom they doe now ſend / hopeing by his ſpeiddie returne To receave tymeous ſatiſfacᵒne in the particulares committed to his truſt / And nothing doubting But at the comeing of the cõmitties from the Parliãt into Scottland God will by his wiſe & gratious providence ſo direct and aſſiſt the ioynt counſellꝭ of both Kingdomes in the mater of the declaratioun / ſent to the lordꝭ of privie counſell in Noʳ laſt that the beſt way may be fund for delyvering his mãtie / the parliãt and Kingdome of Ingland from thair many and greivous ſufferrings and the kingdome of Scotland from thair dangeres and thraitnings of the lyke · ffor rooteing out poperie and prelacie / and ſuppreſſing the curſed factioun of papiſts / prelattis / malignants / and atheiſts / Who throuch the workeing of Satan / are now in a raige And imagine a vayne thing againſt the lord and his annoynted / And for the peaceable ſatling of the trew religioun and kingdome of Chryſt in this Illand To the glory of God / the honoʳ of the king and the peace and libertie of all the people of God A weicht of happines with which all the ſufferrings of this pũt tyme Althouch wtherwayes wnſupportable / Are not worthie to be compaired / And for which the deſyres and indevoures of this kirk and kingdome are nothing remitted of that which is conteined in the former true and lairge expreſſiounes of the ſeverall publict iudicatories of this kirk and kingdome But doe daylie according

to the encreaſe of difficulties and hinderances / Aryſe and aſcend to a greatter hicht and fervour of zeale and wait earneſtly for the tyme when by all good meanes with common conſent the particular wayes may be agreid wpon for the accompliſching of ſo greate and goode a worke by the bliſſing of God Almichtie · It had bein impoſſible for this kingdome to have ſetled / Religioun and peace without ane eccleſiaſticall aſſemblie / Wch throuch the mercie of God did by the reformatioun of divyne worſhip and the governemẽt of the kirk / lay the fundatioun of all the efter proceidings · And thairfoir we cannot but even from or awin late experience much approve of the calling ane aſſemblie of ſome godlie and learned of that kirk for conſulting about materes of religioun / Which being once determined will no doubt eſtableiſch and wnite the diſtractit and doubtfull mynds and hearts of many in the knowen treuth and cauſe of God And be a ground work of happie proceidings and many bliſſings wpon the king and all his mãties realmes and dominiones which without it cannot be obtained Wherin if by the ſending of ſome godlie and learned from this kirk the ſo much and ſo frequentlie deſyred wnitie [of] religioun and wniformitie of kirk governement according to the word of God ſalbe at laſt brought and concludeit / We ſall think it the ſtrongeſt band for wniteing and confirmeing the tuo nacnes againſt all diviſioun from within and oppoſitioun from without And thairfoir have recommendit the mater to the commiſſioneres of the generall aſſemblie Who will indevoure by thair more particular anſr / To give all poſſible ſatiſfacne to the honō houſe of pliãt

EDINBURGH 17 July 1643

THE eſtaits of the Kingdome of Scotland pũtlie conveined Doe heirby give warrant and commiſſioun to Mr Robert Meldrum to repair to the city of London And thair to propone to both houſſes of the parliãt or ſuch as ſalbe appoynted by them ſuch things as are inſtructed to him from the ſaide eſtaits And to wſe all poſſible diligence to procure ane anſr thairto Conforme to his inſtrucnes on that behalff

INSTRUCoNES from the convencne of estaits to Mr Robert Meldrum

Cõmiſsion & instructions to Ro: Meldrum

YOW ſall repaire to the citie of london and repreſent to both houſe of parliament Or to the cõmiſſioneres who did treate with our commiſſioneres Concerneing the ſupplie of Ireland that the conventioun of the eſtaits of this Kingdome haveing tane to thair conſideratioune the tender ſenſe and compaſſioun of both houſe of the wantis and extremities of the ſcottiſch airmie in Ireland with pair earneſt deſyre to give ſatiſfacne by a ſpeiddie releiff and ſupplie according to the articles of the treattie and with all the impoſſibilitie for them to performe the ſamen by reaſounes of the greate burdings and miſeries lying wpon that kingdome as is at lenth expreſſit in thair paperes of the 15 and 25 of May ſent with the Earle of Lindſay We cannot but with greate greiff of heart aknowledge and regrait theſe calamities and diſtreſſes of that kingdome And as we wiſch from or heartes ane happie and ſpeidie end thairoff So the preſſing neceſſities of the airmie in Ireland and difficulties occurring thairwpoune hes conſtrained them to repreſent to both houſſes ſuch things as they find neceſſarie by the ſaidc houſſes to be reſolved · Yow ſall repreſent to both houſſes that the conventioun of the eſtaitc of this kingdome hes long exſpected committies from them with inſtrucnes and power according to the foirſaidc paperes ſent with the Earle of Lindſay And thair exſpectatioun being hitherto diſſapoynted and the neceſſities of that airmie ſtill growing which are impoſſible for them any longer to ſupport Yow ſhall thairfoir againe crave their pñt reſolutioune and declaratioune whither they will continue the ſervice of that armie or declair they will no longer intertein the ſamen And if the houſe of parliat ſall reſolve no longer to intertein that armie Then yow ſhall deſyre that due adverteiſment be made thairoff and moneyes be provydeit for payment of thair arrieres and carieing them home according to the articles of the treattie But if they ſalbe pleaſeit to continow the ſervice of that airmie Then ſhall yow demand thair reſolutioune in theſe particulares following which wer formerlie intruſted from the counſell to the Earle of lindſay And by him offered to thoſe who treated with him And qoff ſome are abſolutelie neceſſer for the ſubſiſtance of that airmie and agried wpon in the treattie / and others are very neceſſer and conveinient for the good and better proſecuteing of the ſvice Wheras the airmie hes not bein monethlie payed according to the agriement as may appeare by the greate increaſe of arreares in the cõmiſſrc compts And ſeing in that deſolate land nothing is to be gotten wpon credite and the proviſiounes comeing thither enchanges the prices of viveres: So as thair pay / altho duelie payit would ſcairch intertein them / and merchants will not hazard thair goodc to theſe places where they will be tane from them by force by reaſoune of the neceſſitie of the ſouldieres Yow ſall thairfoir deſyre that armee be ſatiffied of thair arreares And thairefter that monethlie payment be dewlie made for incouragement of the officeres and ſouldieres in thair ſvice according to the treattie · The proviſioun of victuallc for the ſcottiſch airmie in gariſounes or expeditiounes abroade and the provydeing of carictfergus and Oubyne with magazines of victuall in due tyme according to the treattie would have bein a greate furtherance to the ſervice:

The neglect q'off hes bein the cheiff cauſe of the wnparaled miſeries wch airmie hes ſufteined · As alſo the not provydeing of the newlie montioy and londonderie with proviſiounes and magazines hes bein the cauſe of the loſſe of many occaſiounes of ſvice againſt the enemie: Yea the airmie had periſched long agoe if it had not bein furniſched at ſeverall tymes from this in thair neceſſitie So as by and attour the ſowmes due to the merchants furniſcheres of the victuall / the hazard and charges of convoy lyeth wpon this cuntrey: Which hes bein verie greate / inregaird that according to the treattie ſhippes have not conſtantlie waited thair for theſe endes: Yow ſall thairfoir deſyre that fix monethes proviſioun be layed in ſtore in the places foirſaidꝭ and competant allowance granted for the charges this kingdome hes alreadie bein at in the tranſporting and ſaiff conveyeing of that victuall Which ſould have bein performed by the parlt of Ingland and the hazard caried by them

WHERAS the ten troupes of horſe that wer appoynted by the treattie to wait wpon the ſcottiſch airmie hes all this tyme wanted the officeres promiſed / and the troupes themſelffs wants ſaidles piſtollꝭ and uther furniture requiſite

YOW ſhall thairfoir deſyre that according to the treattie theſe troupes may have the officeres promiſed ſett over them And that they themſelffis be ſufficiently furniſched with all ſort of equipage · Yow ſhall deſyre that according to the treattie ſufficient ſtore of poulder ſpades ſhowles pick axes handrules and other materiallꝭ be ſent to carict fergus And that a reſerve of ſporderines be layed wp in ſtore and that payment be made of 2000lb per ānum allowed for incident charges Since the tuo ſhippes that wer appoynted to attend for guarding the coaſt and cleiring the paſſage betuixt Scotland and Ireland wer not able to doe the ſvice even whill they were there for in their crew ſupplie of officeres and Amuniſne wer conveyed be the rebelles You ſhall deſyre ſome better courſe to be takin for guarding the coaſt from the robberes of the Iriſch and Dunkirk friggotts that appeare þwpon According to the letter ſent be the conventioune to the ſpeikeres of both houſſes

NOT of the particulares which are demanded as necessarie for þe better prosecuteing of þe service

THAT all diſorderes which come by devyded and independent commands may be evicted and that his mātie and houſſes of parliament may know at whois hand to crave ane accompt of the warre Yow ſhall deſyre that the generall may have full pouer over all the Britiſch in Vlſter als weill formed in regiments whill they are there as the cuntrey people ·

SINCE the furnitour of the cariage of the airmie in Ireland is ſo neceſſer and difficult / And that the allowance of ane horſe for the cariage of the victuall of each ten men will tak wp the wholl thowſand allowed for the bagage and artailliarie And ſince þr are no horſe to be gotten in Ireland as was exſpected Yow ſhall deſyre that allowance be geven for furniſching four hundreth horſe for the traine of artailliarie at 12d a day everie horſe and for the pay of theſe who attend them on man for everie thrie horſe at 8d a day Yow ſhall deſyre that the payment to be made to the airme may be condiſcendit wpon ather to be at London or Carictfergus in Ingliſch money And ſince hitherto what hes bein geven hes bein received thair yow ſhall deſyre allowance to be granted to the thēr of that airmie for his bygane paines And if it ſhall be thocht fit heirefter to be delyverit at London that a fie be granted to the thēr in tyme cuming ·

SEING the troupes appoynted to joyne with that airmie have no mantainance at all and ſo are without ordour and diſcipline made wp of the jnhabitants of the cuntre who ſeldome come togidder but at muſteres and cannot doe ſervice wnles they be abſolutelie at or geñellꝭ command and diverſe of the capitanes of theſe troupes have deſyreit their charge and as we are crediblie informed are wpon ſervice with the armie at Oxforde Yow ſhall thairfoir deſyre that the pay of theſe troupes may be ingroſſed wth the pay of the ſcottiſch airmie And eſpēally that of Sr Robert Adair who hes raiſed and interteined his troup wpon his awin charges Wheroff yow ſall deſyre repayment ·

YOW ſhall lykwayſe deſyre that the parliat wald appoynt tuo pinnaces or tutches for convyeing diligence betuixt þm & this Kingdome Yow ſhall ſhow to both houſſes of parliat that we cannot But with greate thankfulnes [ ] how affectionatlie the brotherlie aſſiſtance was granted be them for the releiff of our ingadgemētꝭ the tyme of our lait trubles And how ſorie we are for thair greate neceſſities hindering them to mak payment of the remainder of that aſſiſtance expreſſit in thair paper of the 3 of Jañrie delyvered to the Earle of Lindſay But inregaird the remander of the tua termes payment thairoff Which was payable in āno 1642 is aſſigned to Sr Wm Dick for neceſſarie depurſements beſtowed be him for the ſervice of the cuntrey / The not payt whairoff will hazard his credite and ſtanding Yow ſhall thairfoir deſyre that which is remaining of that payt to be pñtlie payed togidder with the increiſe according to the foirſaid paper And for the payment of the uther hundreth and ten thowſand pund if thair diſtreſſes / (wheroff we are verie ſenſible) may not admit of the pñt payment thairoff We ſall ſhow them that we exſpect they will pay it with all poſſible ſpeid in ſuch a way as our awin greate burdings

may not increaſſe wpon ws by the intereſt we pay for them ſo long as o^r awin exigence will permit ws to ſuperſeid the payment þ^r off Yow ſhall wſe all diligence to ſie Thomas Cuninghame or his factoures payit fullie for the airmes he hes ſent to this Kingdome According to the teno^r of the agreiment maid by the parlt of Ingland with him on that behalff Yow ſhall wſe all diligence within ten dayes at moſt efter your comeing to Londoun (where yow are wpon no occaſiounes to mak any longer ſtay) To procure the anſ^r of both houſſes of parliament according as they will ather continue or declair they will intertein o^r airmie And to the remanent particulares foirſaides: And if in place of anſ^r they reſolve to ſend doun committies Yow ſhall earneſtlie deſyre that they come with all poſſible diligence And full power inſtructed and warranted to treate and conclude on the particulares foirſaides And of ſuch uther things as may concerne the good of both Kingdomes according to þ^r awin paper ſent wth E · lindſay · Yow ſhall lykwayes mak knowen to them that we have reſaveit from Mr Corbet coppies of the inſtruc^o nes ſent from both houſſes to thair cōmitties at Scotland at his ma: late being there And as we thankfully acknowledge the ſenſe they then had of the apparent diſturbance of the peace of this Kingdome and thair cair to pfeite the ſame Which befoir this tyme wes never notified to the parlt nor any iudicatorie of this Kingdome: So have we not bein wanting at this tyme in a reciprocall of the preſervatioun of theres Wherof our lait commiſſio^r in thair remonſtrances to his mātie of the 15 of Jārie 1642 ſti: ſcot: and the lordis of counſell and commiſſio^r of peace by thair ſeverall declaratiounes have geven ample teſtimonies · And of befoir thair cōmi^r to Londoun the cōmitties from both houſſes ſhall be wpon thair way toward Scotland Yow ſhall demand that both houſſes would ather give añſer to the particulares foirſaid Or ſend ane ample commiſſioun and power to thair cōmitties to treate and conclude thairwpoun And lykwayſe concerneing the remander of the lairge treattie

EDINBURGH 17 July 1643

Richt honōll

THE amitie betuixt the tuo natiounes and the care we have to doe everie thing which may confirme the ſame As it did move the counſell to repreſent to both houſſes the late taking of the Earle of Antrim and the eſtaits ſince / to ſend wp the ſaid Earle and his ſervantis thair depoſitiounes with the lēre from his aſſociates in that conſpiracie · So alſo the ſaids eſtait have now reſolved wpon the ſame ground / that according to the deſyre from both houſſes expreſſit in yor lēre of the 17 of Junij laſt order ſalbe gevin to the lord Genēll to delyver the perſoune of the ſaid Earle to ſuch as from the parliament ſhall have warrand to reſave and convoy him to London to abyde his tryell thair And have deſyreit me in thair name to notifie into yor Lp̄es to be repreſented wnto both houſſes Whois happines is the earneſt deſyre of Yo^r lp̄s aſſureit freind ⁊ ſ^rvant ſic ſub̄ ·

Loudoun I P D convent^o

EDINBUR^T 17 July 1643

FORSAMEIKLE as the eſtaits of this Kingdome haveing reſaved from the ſpeikeres of both houſſes of the parliament of Ingland ane letter of the dait the 27 of Junij laſt Wherin they deſyre in name of that parliament That þe perſoune of the Earle of Antrim Who is now apprehendit in Ireland may be ſent to them to reſave tryell and judgement According to the law for his acceſſioun to the jriſch rebellioun And the eſtaits of this Kingdome being cairfull to doe everie thing which may confirme the amitie betuixt the tuo Kingdomes Doe thairfoir give warrand and command to Alex^r Earle of leven lord generall To delyver the perſoune of the Earle of Antrim to ſuch as from the houſſes of parliament ſhall have warrand to reſave and convoy him to London to Reſave his tryell thair Wheranent the extract of this act ſalbe to the lord Generall his excell: ane ſufficient warrand ſic ſūr

Warrand to the Lord Generall anent the Earle of Antrim

Loudoun Can^llrius I P D Convent^o

THE Conventioun of eſtaits Ordaines Johne Joſſie To delyver to Mr Robert Meldrum the ſowme of ane hundreth pundis ſterling Whilk is modified to him for his charges in his imployment to London And that out of the readieſt of the moneyes being in his handis Wheranent thir pñts with Mr Robert Meldrumes diſcharge ſalbe to the ſaid Johne Joſſe ſufficient warrand

Act for Ro: Meldrums charges

EDINBURGH 17 July 1643

Loveing freindis

WE have reſaveit your letter from the handis of Capitane Gordoun / Leiv: Colonell Scott and cap: Moncreiff Who have with all inſtance and earneſtneſs repreſented wnto ws the hard conditioun and deſyres of that airmie / And being truelie ſenſible of the wants and greate ſufferings þ^r off And willing to ommit no meanes that may conduce for the good of that ſervice and mantainance of the airmie Have thairfoir reſolved that ſome conſiderable ſowme be advanced by this Kingdome toward yor pñt ſupplie And are thinking of the readieſt way for raiſeing thairoff And inreſpect that the commiſſio^r who wer promeiſt to be ſent heir by the parlia^t of Ingland for that purpoſe are not yet come we have ſent ane expreſſe for ane poſitive anſ^r from them

Lr̄e to the officers of the Scots armie in Ireland

anent the ſatiſfac^ne of q^t is bygane awand to the airmie and how a ſolide courſe may be tane for the interteinment and payment thairoff in tyme cuming And as the counſell by thair lẽre to the lord geñell and act of counſell of the 18 of auguſt laſt So alſo wee doe heirby declaire that if the deſtrac^nes of Ingland be ſuch as mak the parliament remiſſe or faill in the performance of the articles of the treattie That according to o^r poure wee ſhall labour to ſie the airmie furniſhed with victuall and uther neceſ-ſeres Conforme to the treattie And have thocht fit this heirby be made knawin wnto yow from yor loveing friend:

EDINBUR^T 19 July 1643

Cõmiſſion againſt Iriſh ꝛ Dunkirk frigots

FORSAMEIKLE as the conventioun of þe eſtaits of the Kingdome of Scotland Taking into thair conſideratioun the lait ſpoyleing robbing and burning of the ſhippes and goods perteining to his mãtie good ſubjects of the Kingdome of Scotland travelling toward Ireland with victuall for ſupplie of the ſcottiſch airmie thairwith Committed wpon them by certane friggotts manned wth Dunkirks and Iriſch rebell^ and furniſched with all hoſtille proviſione who lye at wait for them wpon the north and weſt pairts of this Kingdome and els q^r To catch thair advantage againſt his mãties ſaid ſubjects of this Kingdome Intending thairby not only to ſtop thair courſe of treade and cõmerce by ſea But eſpẽally to diſſapoynt the airmie in Ireland for thair neceſſarie proviſione of victuall from this And the eſtaits finding it very neceſſarie ꝛ expedient that the remedies provydeit by the law of natiounes in ſuch caices in ſo important ane exigent ſhalbe now wſeit for repara^ne of his mãties hono^r againſt ſuch delinquents and ſecureing of his good ſubiects from thair oppreſſiones Thairfoir the eſtaits of this pñt conventioun hes geven and granted And by the teno^r heiroff gives and grants full pouer and cõmiſ-ſioun expreſſe bidding and charge to James Broun Capitane of the ſhip callit þe James of Salquot and to of Irveing capt^n of the ſhip callit the providence To arme and furniſch thair ſaid^ ſhippes with men victuall^ and artailliarie greate and ſmall And with poulder leid lunt and all other warlyk furnitoure and proviſioun And to mak þair addreſſe to the ſea And in ſpẽall To cleire the weſt and north weſt betuixt Scotland and Ireland or any place elſe q^r þej can learne theſe friggottis to be ſtill turneing to and againe betuixt the weſt coſt of Scotland and the coaſt of Ireland And ſhall not goe in to any hairbrie nor lye therin except wpon extreame neceſſitie And thair to ſeik follow and perſew with all hoſtilitie the friggottis of the qualitie abovewrine Who have alreadie or ſhalbe in the act of committing any of the oppreſ-ſiounes foirſds againſt q^tſumever his mãties good ſubject^ or that have commiſſioun to that effect Or ſhalbe lying at await for them in any pairt q^tſum-ever And to apprehend or tak ſuch or deſtroy the ſaid^ friggott^ as the ſaid^ capitanes ſhall find neceſ-ſarie And to bring the ſhippes and good^ to be takin from þ^m to any port or herbrie to be diſpoſed wpon be the eſtaits ꝛ the ſaid^ James Broun capi-tane of þe ſhip callit the James of Saltcottis and of Irveing Capitane of þe ſaid ſhip callit the providence in thair charter ptie The company and equippage of the ſaid companie of þe ſaid friggottis to wſe as profeſt enemies to his mãtie And to execute ſuch militarrie lawes againſt them as is vſuall in materes of theſe kynd And more partlie if they ſhall have occaſioun of rancountering theſe friggottis They ſhall not be deficient thairin for any feare or danger q^tſumever And if they ſhall enter in combat That they ſhall ſtill fight till the death never rendering thair ſhippes Bot ſhall man-taine and defend them till they be ather brunt or ſunk And if occaſioun offer that the ſaides Capi-taines bies deteined further in his voayage then the tuo monethes for which they are now to be victual-led In that caice it ſhall be lawfull to the ſaid^ capitaines to tak and receave victuall^ wherever they can have them And give thair tiket^ þ^vpõ Whilk ſhalbe thankfullie refoundit by the ſaid^ eſtaits The ſaid^ capitaines wſeing alwayes diligence to perfytte þ^r ſervice within the ſaid^ tuo monethes And gen^llie all and ſindrie other things toward^ the executioun of this cõmiſſioun to doe exerſe and wſe qlk are requiſite and neceſſarie firme and ſtable halding all q^tſumever thing ſhall be lawfullie done therin

Act for aſ-ſurance of ſome Canon

FORSAMEIKLE as James Blair and James Broun Captanes of the ſhippes callit have pũtlie borrowit from the Marq^s of Argyll ſex peice of cannon / and fra the Earle of Eglingtoun tuo piece of Cannon for the better furniſching of thair ſchippes in the ſervice q^in þej are imployit be the eſtaits for guarding of the weſt coaſt And they have geven band to the ſaid^ noble-men for the delyverie þairoff And the eſtaits finding it nowayes reaſonable that þej ſould be lyable for reſtitu^ne þ^roff if the ſam^ be loſt in þe pub^t ſrvice Thairfoir the eſtaits declares that if any of the ſaid cannon ſalbe loſt in the pub^t ſervice as ſaid is That þej will ſie ſatiſfac^ne geven thairfoir to the ſd^ no-blemen awneres þ^roff and the ſd^ capitaines releiveit of þ^r ingadgmẽt^ ꝛ band^ geven thairfoir.

EDINBURGH 20 July 1643

Comittee for proportion-ing of the Loane

FORSAMEIKLE as the conventioun of the eſtaits have thought fitting that the ſowme of eicht hun-dreth thowſand pund be advanced by this king-dome by way of loane And that fyve pairts thairoff be payed be the ſhyres out of the ſpiritualitie and

temporalitie and the ſext pairt by the barrounes And to the effect that þe ſaid fyve parts be layed on in ane equall proportioun The eſtaits gives warrand and cõmiſſione to the M : of Argyll the Earles of marſchell / Sutherland / Caſſillꝭ Lauderdaile Southeſk (or in his abſence Loure) Balmerinoch Burghlie Humbie Deinmilne Greenock Garthland Broddie Halkertoun Lag and Dawick the cõmiſſionerꝭ for borrowes Sr Johne Smith and James Dennieſtoun for Edr Thomas Durhame for perth Patrik Leſlie for Aberdein Johne Rutherfurde for Jedr (or in his abſence Gideon Jack for Lanerk) Mr Robert barklay for Irveing Mr Alexr Douglas for Bamff Thomas Bruce for Stirling and James Airth for pittinweime Or any fyftein or moe of them their being fyve of each eſtaite to tak tryell and informaõne by all ſuch lawll meanes as þej ſhall think convenient for the tyme According to þr beſt knowledge and conſcience to appoynt and ſett doun without partialitie what þej ſhall judge to be the iuſt and equall proportioun of that ſowme that is to be advanced by each ſeverall ſhyre And the conventioun declares That there ſalbe no leading caiſe heireftr And is to be ſett doun in the act As is expreſſit in the act of parliament.

EDINBURGH 20 July 1643

Recomendaõn in favors of Thomas Cunynghame

THE eſtaits of this Kingdome Recommendꝭ to the conveñõne of Borrowis qlk is to be at Dumbarten To grant warrand and commiſſioun to Thomas Cuninghame merchant in Campheir Authoriſeing him in the jnterim whill ane conſervator be eſtableiſhed to advert to the priviledges of the merchants of this Kingdome treadeing þr or any other place in the low cuntreyes And to aſſiſt þm in injoyeing the ſame And to ingadder ſuch duetis as are impoſed wpon ſtaple waires and commodities thair And to be comptable thairfoir to the borrowes As alſo wth power to him arbitrarly to decyde in all cauſſ of the mch'ꝭ ſkipperes and factoures qlkꝭ wſeit to be judgeit be the conſervator and qlk þej for themſelffis and theſe whom they repreſent ſall ſubmit to him as arbitrator Without prejudice alwayes of his mãtie richt of preſentatione of a conſervator.

EDINBURGH 20 July 1643

Warrand for trying some Dũkirkers

FORSAMEIKLE as wpon informatioun made to ſome of his mãties counſell be Giffin merchant in Glaſgow wpon oath That ſeuerall perſounes who are now pũtlie in the Dunkirk ſhip which is in leith Were about a yere ſince in a friggott / qlk broucht over Oneale to Ireland Order wes geven for ſequeſtratione of ſome of the ſaidꝭ perſounes till they ſhould be examined And the conventioun of eſtaits finding it neceſſarie that this buſſines be exactlie tryed They doe thairfoir approve of the ſaid proceidings of the counſelleres foirſaidꝭ And gives warrand and cõmiſſioun to the gñell of the artaillarie And to the cõmiſſioꝛꝭ of the burgh of Kinghorne and Queinſferrie To call befoir them the Capitane and Companie of the ſaid Dunkirk ſhip And to try the treuth of this informatioune And qt perſounes are in the ſaid ſhip preſentlie Or if any be put away And to put them to thair oathes thairupon And as they ſhall think fitting To give warrand for ſequeſtratioune of the perſounes And to report.

EDINBURGH 21 July 1643

Most Sacreid Soverane

To his Mãtie anent the earle of Antrim

AS the eſtaits by thair letter of the 29th of Junij did acquaint your mãtie with the apprehending the Earle of Antrim And with the depoſitiounes made by him and his ſervants So haveing now reſaved from the houſſes of parliãt ane letter concerneing the ſaid Earle with ſome other deſyres of thaires They have reſolved according to thair duetie to acquaint your mãtie thairwith and with thair anſr made thairwnto As will fullie appeare to your mãtie by the incloſed coppie of the particulars which by thair warrand I doe humblie offer to your mãtie / And in everie thing which may witneſſe my affectioune to your mãties ſervice my ſpeciall caire ſhalbe to prove myſelff &c.

EDINBURGH 28 July 1643

THE Eſtaits Recommendis to the lord Chancellour To wreitt to Dutches of Heſſin and thair leivetennent generall Acquainting them that this Kingdome haveing occaſioune of the ſervice of dauid Leſlie Colonell / Have reſolved to mak wſe of him for that effect And thairfoir to deſyre of þame that they might grant wnto him frie paſſe and allowance for this imployment And for this pũt diſpatch home thairfoir

EDINBURGH 28th July 1643

Act for Dauid Leslies employment in the publict ſervice

THE Estaits preſentlie conveined being informed that Dauid Leſlie Colonell is come to this Kingdome And that he hes beheaved himſelff with greate commendatioun in Germanie where he hes ſerveit this long tyme bygaine with much honour and ſucceſſe in diverſe imployments of greate charge and truſt And being verie aſſured and confident of his affecõne to the trew proteſtant religioune / his mãties ſervice / the honour and ſaiffitie of this his native cuntrey And conſidering that in the tyme of the apparent trubles and dangeres imminent to this kingdome ther may be greate neceſſitie of ſuch a commander Therfoir they find it requiſite and expedient that the ſaid Dauid ſhall ſtay heir for the ſervice of the kingdome According as occaſioun

ſhall offer And to the effect he be not altogidder prejudgeit by the want of the benefeit of his pũt ſervice abroade The ſaids eſtaits have appoyntit and ordained And be the teno^{r} heiroff appoynts and ordaines wnto him the ſowme of nyne thouſand m̃k^{ℓ} ſcottis money yeirlie for the ſpace of thre yeires and longer ay and whill the ſaid ſowme be diſchargeit be the eſtaits And ordanes this ſowme to be wplifted proportionally out of the ſhyres and borrowes And to be payit to the ſaid Dauid by a collectour whom the ſaid^{ℓ} eſtaits ſhall nominate to $þ^{t}$ effect And that his firſt termes payment ſhall begin at Candlemes nixt Inreſpect of his preſent entree at this lambes With this declaratioun alwayes That if it ſhall happin the ſaid Dauid to be imployed in any ſervice of heicher qualitie then a colonell of horſe This modificatioun ſhall not prejudge him of the pay due to him in the ſaid imployment of heicher qualitie.

EDINB^{T} 28 July 1643

Act for Leveying some troups of horſe & foote

THE Conventioun of eſtaits p̃tlie conveined Conſiddering the danger iminent to the trew proteſtant religioun his m̃aties perſoune and peace of this Kingdome be the multitude of papiſts in airmes in Ingland and the occaſiounes thairby geven not only to pub^{t} enemies abroad Bot alſo to diſaffected perſounes wthin this kingdome to labour ſo far as in them lyes To interrupt this happie peace injoyed within the ſame And finding it neceſſar that all meanes be ſpeidily wſet for preventing the practiſies of ſuch for preſerveing of the peace and keiping of the ſubject^{ℓ} in a duetifull obedience to the lawes and publict iudicatories And in a chriſtian wnitie amongſt themſelffis Have thairfoir thocht fitt that this Kingdome be put into a poſtoure of defence and þ be p̃tly levied and interteined on þe pub^{t} charge thre troupes of horſe and 600 foote ſouldieres to be comandit be ſuche officeres As the eſtaits ſhall think fitting And who are to reſave thair ordo^{r}^{ℓ} and obay the direc^{o}nes to be geven them from the eſtaits or any haveing warrant from them

EDINBURGH 4 August 1643

Cõmittee anent the Anuitie

FORSAMEIKLE as the lord Chancellar haveing repreſented to the conventioun of eſtaits the preſent conditioun of the ānuities and craved thair advyſe tutcheing his future cariage in the wplifting and diſponeing the ſame Conforme to the cõmiſſion grantit to him wnder the greate ſeall^{ℓ} And the ſame being remitted to the conſideration of the ſeverall eſtaits They thoucht fitt that a committie ſhould be appoynted for that effect And thairfoir the eſtaits nominattis and appoyntis the Earles of Dumfermeling / Lauderdaill / Lindſay / Balmerinoch The laird^{ℓ} of Dunipace Lag Broddie and Dundas and the Commiſſioneres of Ed^{r} Lithgow Aberdein and Irveing To conſider the propoſitioun foirſaid Geven in be the lord Chanlr And q^{t} ſhall be ſhawin for inſtructing thairoff And to report what they ſhall think fitting to thair judgement to be further done Concerneing the ſamen.

EDINBURGH 4 Auguſt 1643

Contract wth George Jameson for 3000 bolls meall

FORSAMEKLE as George Jameſoune Proveſt of Couper hes heirby at the deſyre of the eſtaits / Wndertane to furniſh and tranſport with all convenient diligence wind and weather ſerveing for the wſe of the ſcottiſh airmie in Ireland the number of thre thowſand boll^{ℓ} good and ſufficient oat meill Betuixt and the Tuentie day of this inſtant [at the] furtheſt And binds and obleis him his aires and exẽres to caus the ſame be delyverit at Carictfergus in Ireland to any perſoune or perſounes who ſhall have publict warrand to reſave the ſame And that be meaſureing thre boll^{ℓ} mealle out of the ſhippes loading wth the prick firlott of leith on to be takin toward^{ℓ} the wpmoſt pairt of the ſhip the ſecond toward^{ℓ} the midle and the thrid toward the bottome of the ſhip Whilk thre boll^{ℓ} being weyit The haill victuall of that ſhip loadning to be reſaved weyit and delyvered according to the weicht þ^{r}off Whilk victuall foirſaid the eſtaits obleiſ^{d} them To cauſe reſave with all diligence at Carictfergus within fyftein dayes at þe furtheſt efter the aryveing of the ſhippes With the ſame or any pt þ^{r}off And ſhall imediatly eft^{ℓ} the recept þ^{r}off pay the frauchts to the ſkipperes as the ſaid George Jameſoune or his factoures ſhall direct / And qlk is to be allowed to the ſaid George in pairt of pay^{t} of the pryce of the ſaid meale Lykeas the ſaid^{ℓ} eſtaits obleidſes them to beare the hazard of piracie and ſhipwraik of the ſd meale and ſhip tranſporting the ſamen That incaice (qlk God forbid) anee ſhip or bark laidned with the ſaid meill or any pairt þ^{r}off ſhall happin to periſch loſſe / be ſuppreſſed or takin with pyrratts or enemies or driven a ſhore what ever loſſe or ſkaith the ſd George or ſkipper ſall happin þ^{r}by to ſuſtein in ſhip or good^{ℓ} (it being in $þ^{r}$ awin default) the eſtaits bind^{ℓ} them to pay the ſame As alſo binds them to pay vnto the ſd George his aires exẽres or aſſignayes the ſowme of ſextein m̃k^{ℓ} ſcottis for ilk boll of the ſd mell betuixt the day and date heiroff and the ỹme of candlemes nixtocum Togidder with the ſowme of ſex hundreth auchtein pund halff m̃ks for ane quarteres ārent fra m̃tymes nixt to candlemes / and the ordinarie ārent þ^{r}of ſua long as the ſamen or any pt þ^{r}off ſhall remane wnpayit eft^{ℓ} the ſd ỹme of candlemes Sic ſũr Loudoun Cancrius I P Convent^{r} George Jameſone

EDR 4. Augt 1643

Robert Gordon 900 bolls meale

THE iuſt lyk act made with Mr Robert Gordoun and the eſtaits for furniſching nyne hundreth boll ait meill at ſaxtein merk the boll To be payit at Candlemes with ane quarterſ ānuell ſic fūr Loudoun Cantrius I P D Conventō Robert Gordoun

EDINBURGH 4 Auguſt 1643

Cōmiſsion to James Rosse against Irish frigots

FORSAMEIKLE as Capitaine James Roſſe mr of the ſhip callit Johne harper mr of the ſhip callit and James Lawrie mr of the ſhip callit Are imployed for caryeing over to Ireland certane quantitie of victuall for the wſe of the ſcottis airmie thair And q'as perchance they may rancounter in this voyage with ſome of theſe Iriſch and Dunkirk frigottſ who have ſo much infeſted his māties good ſubjectſ of this Kingdome and will no queſtioun labour in lyk maner to perſew them If þej ſhall not be of ſufficient ſtrenth and have warrand Againſt them Thairfoir the eſtaits of this Kingdome pñtly conveined Gives heirby warrand and commiſſioun to the ſaidſ capitanes James Roſſe Johne Harper and James Lowrie To furniſch thair ſaidſ ſhippes with men victuall artailliarie greate and ſmall and all uther neceſſarie the beſt they can And to repair with all convenient diligence to Knokfergus in Ireland with the ſaid meale And thare delyver the ſamen to ſuch as ſhall have publict warrand to reſave it And if in his goeing thither or returne againe he ſhalbe perſewed or rancounter with anie of the ſaid Iriſch or Dunkirk friggotts With power to them to defend themſelffis ſhippes companies and goodſ the beſt way they cane And for that effect to follow and perſew them with all maner of hoſtilitie And to apprehend ſink or deſtroy them and wſe them as profeſt enemies to his mātie And ſuch of them of thair ſhippes as þej ſhall happin to apprehend to mak the ſamen furthcumand to be diſpoſed of as the eſtaits ſhall think fitting / This cōmiſſione only to indure in this thair voyage to Ireland and returne againe.

EDINBURGH 4 Augt 1643

Act for releiffe of 5000li to the Commiſrs of Air &c

FORSAMEIKLE as the commiſſioneres of the burrowes of Glaſgow Ayre and Irveing have at the deſyre of the eſtaits advanced the ſowme of fyve thowſand merkis for outreiking tuo ſhippes in the weſt againſt the Iriſch and Dunkirk friggottis and cleareing of the coſt betuixt this Kingdome and Ireland And the eſtait finding it neceſſer that they be tymeouſlie releived thairoff Doe thairfoir declair that they ſhall have allowance and affigne to them ſo much of that pairt of the loane that is to be payit be the ſaids burghes As will ſufficiently releive them thairoff And for that effect ordaines the magiſtrats of the foirſaidſ borrowes to mak payment of the foirſaid ſowme to the ſaidſ commiſſioneres for thair releiff of prinſt & ārents out of the firſt pairt of the loane dew by the ſaidſ burghes

EDR 4 August 1643

The Laird of Haddo his proceſse and fynes

ANENT our Soverane Lordis letteres raiſeit at the inſtance of Sr Thomas houp of Craighall his mātie advocat for his mātes entres and Alexander Jaffray baillie of Aberdein and Johne Jaffray his brother Proveſt baillies and counſell of Ab'dein for thair entreſſes Makand mentioun That qr the diſaffectioun of Sr Johne Gordoun of Haddo to the goode of Kirk and cōmon wealth this long tyme bypaſt is not wnknawin to the noblemen & piſſiocſ of the eſtaits pñtly conveined Wheroff the burgh of Aberdein hes fund many greivous prooffes and experiences of which the particular following is not one of the leaſt / Namelie upon the Tuentie day of May laſt Thomas hay ſvant to the ſaid laird of Haddo haveing cruellie wounded almoſt to the death Alexander Barnett fermorer in the ſaid toun / The ſaid Alexander Jaffray baillie for the tyme out of the duetie of his place cauſeit apprehend the ſaid Thomas / but in a verie diſcreit way and keipit him in firmance in the laich counſelhous till he ſhould find cautione for obſerveing his māties peace and anſring to the wrong And wpon this cautioune within four houres ſet him frie And albeit the ſaid baillie his courteous dealling thairin deſerved thankfull acknowledgement from the ſaid laird of haddo Nevertheles ſhortlie þeſt he accompanied with a great number of his freindſ followers & ſvants / came to the mercatte croce of Aberdein To have fund and affronted the baillie þr But miſſing him he fell out in oppen railling ſweareing wth greate othes that he wald goe and tak the baillie out of his awin houſe and thair tak ordour with him Thaireft ſhott piſtollſ and gunes at the croce And hes ever ſince herboured ane deip rancour and malice againſt the ſd baillie with a reſoluōne wpon his beſt advantage To tak his lyffe / for qlk purpoſe wnderſtanding that wpon the firſt of July the ſaid baillie and his ſaid brother had bein at the buriall of Mr Patrik Gordoun of Bracco at the chappell of Garioch The ſaid laird accompanied with Johne Gordoun James Schand Wm halyburtoun and another Johne Gordoun his ſervants all airmed with ſwordſ gunes and double piſtollſ And awaited [for] the baillies returne from the buriall in the toun of Kintore and howſowne they perceaved him rydding by The ſaid laird and his compleices foreſaidſ followed on horſebak / and howſowne he came neir / he ſaid to the baillie knave how durſt thow be ſo pairt as to put my man in waird And with theſe wordſ gave him

diuerſe ſtroakes er he was awar over the heid with a tree Thairefter firſt bended and fired ane piſtoll then another to his breiſt which happilie miſgave Then tooke another piſtoll from on of his ſervantis and ſhott the ſame at the baillie But the providence of God diverted the bullett And ſo haveing ſpent all his ſhott w^th^out his deſyreit ſucceſſe Then the ſaid laird and all his men drew thair ſwordꝭ and cruellie purſewed the baillie and his ſaid brother of thair lyffes wounded the baillie on the head to the effuſioun of his bloode and hazard of his lyffe and his brother on the left airme q^lk^ be appearance wilbe muttellatt And when as the ſaid Andro Birnie reproved the ſaid laird for this baſe and foull attempt againſt a magiſtrate for diſchairge of his office Telling him that the eſtaits wer ſitting and wald tak notice thairoff he proudlie and diſdainfully anſrit he caired not for the ſaidꝭ eſtaits he hoped to ſie a change ſhortlie and to be avenged wpon all his enemies And he hes laitlie ſince ſent diverſe bad wordꝭ to the ſaid baillie Threatning that if he would not be content that the buffines wer tane wp at home but would inſiſt befoir any judge q^tſomever That he ſhould come and tak the baillie out of his awin houſe and wſe him in another way nor he hes yet done And farther he and the ſd Johne Schand his ſervand hes vowed if the ſaid laird be trubled for this mater That the ſaid baillie nor nane that belangs him ſhalbe able to keip the ſommer mercattis Wherin the ſds eſtaits doe cleirly perceave ane extraordinare contempt with ane heich hand done to auctie in generall and to the magiſtrats of Aberdein in particular be the ſaid laird of Haddo The impunitie wheroff will not faill to animate him and others of his lawles diſpo^o^ne to goe on in the lyk or worſe effronts of juſtice to the breache of the peace of the cuntrey and contempt of the auctie And anent the charge geven to the ſaid Sr Johne Gordoun Johne Gordounes younger and elder Wm Halyburtoun and Johne Schand To have compeired p̃ly befoir the ſaidꝭ eſtaits at a certane day bygaine To have wnderlyen thair deſerved puniſchment for the ſaids proud attempts Vnder the paine of rebellioun and putting them to the horne With certificatioun to them and p̃ej falyed lẽrs ſould be direct ſimplr to put them thairto Lykas at mair lenth is contained in the ſaidꝭ lẽrs executiounes and indorſatiounes thairoff Whilkꝭ being called and patrik Leſlie provoſt of Aberdein compeirand p̃ly for himſelff and in name of the baillies and counſell of Aberdein And the ſaid Alexander Jaffray compeirand p̃ly for himſelff and Johne Jaffray his brother who was excuſet by a teſtimoniell of his ſeiknes And the ſaids defenderes being often tymes called and not compeirand the reaſounes proponed be the perſeweres togidder with the depoſitiounes of certane perſounes produced be them purged of partiall counſell ſworne and admitted as witneſſ in this mater being red hard and conſidered be the ſdꝭ eſtaits and they advyſeit thairwith The ſaidꝭ eſtaits find and declaire that the ſaid laird of Haddo caried himſelff in a moſt inſolent and bragging way in the toun of Aberdein By ſhooteing of Piſtollꝭ when his ſervant was committed for the wrong to be cleired and that wpon the firſt of July laſt the ſaid laird of Haddo Johne Gordoun younger W^m^ halyburtoun & Johne Schand purſewed the ſaidꝭ Alex^r^ Jaffray baillie and Jo^n^ Jaffray his brother as they wer comeing from the buriell abovemen^o^nat and the ſaid laird of haddo ſtrak the baillie over the heid with a trie and fyred tuo piſtollꝭ at him q^lk^ miſgave and ſhot the third q^lk^ miſſed and then gave him a ſtroake on the heid with a ſuord to the effuſioun of his bloode and wounded the ſaid Jo^n^ Jaffray on the airme with ane drawin ſworde And that thairby they have cõmitted ane greate inſolencie and hich offence againſt auctie and of dangerous conſequent for the qlk ordaines lẽrs to be direct chargeing the ſaid Johne Gordoun of Haddo Johne Gordoun younger his ſvant Williame Halyburtoun and Johne Schand to enter thair perſounes in waird within the tolbuith of Ed^r^ thairin to remaine wpon thair awin expenſſes till ordour be taken with them for the ſaid inſolence be the ſaidꝭ eſtaits Within fyftein deyes efter the charge Wnder the paine of rebellione And if they falye to denunce And farder the ſaidꝭ eſtaits fynes the ſaid Johne Gordoun of Haddo in the ſowme of 10000^lib^ to be payit to Williame Thomſoune Comiſſere of the airmie in Ireland or Johne Joſſie his deput for the wſe of the publict to be imployed be order from the ſaidꝭ eſtaits As alſo fynes him in the ſowme of 5000 m̃kꝭ to the ſaid Alex^r^ Jaffrey baillie and his ſaid brother and ordaines lẽres, to be direct heirwpon if neid beis in forme as effeires and modifies twentie pundis to every witnes being a horſeman and Ten pund to the footemen to be payit be the producer Becaus the ſaid complaint being admitted to pe pſeweres proba^o^ne and diverſe perſounes being producet be him reſaveit ſworne and admitted as witneſſ in this mater They have ſufficientlie veriſeid and proven the ſaid complaint in maner as is is above fund and declaired For the qlk cauſe the eſtaits have decerned ordained and modified as ſaid is

Ed^r^ 4 August 1643

FORSAMEIKLE as Anent the charge given be warrand of the Eſtats / To James Lord Ogilvie To have cõpeired perſo^n^lie before thame this p̃ſnt day Provydit to have fund ſufficient caution for keeping of the peace and behaveing himſelfe in a peacable and quiet way conforme to the lawis of the kingdome And to have hard and ſeene ſuche order tane for the good and peace of the kingdome As the Eſtats ſould thinke fitting Vnder the paine of rebellion & putting of him to the horne W^th^ certification to him if he failȝied lẽres ſould be direct

Denunce the Lord Ogilvie

ſimpir to putt him ꝑto Lykeas at more lenthe is ꝓteaned in the ſaid warrand executions & modifications ꝑof Qlks being callit And the ſaid James Lord Ogilvie not cõpeirand being oftymes callit The Eſtates Ordans lres to be direct To denunce him his Mãties rebell & putt him to the horne And to eſheit & c.

EDINBURGH 4 August 1643

Protection to the Marques of Huntlye

FORSAMEIKLE as George Marqueis of Huntlie being charged be warrand of the eſtait to have compeirit pñly befoir them this pñt day provydeit to have fund ſufficient cautioune for keiping the peice of the Kingdome And to have hard and ſein ſuch courſe tane ꝑanent as the eſtaits ſould think fitting Wnder the paine of rebellioun and putting of him to the horne With certificac̃ne to him if he falyed letterꝭ ſhould be direct ſimpir to put him ꝑairto and the ſaid marqueis of huntlie being oftymes callit and not compeirand pñly conforme to the charge The eſtaits thairfoir hes ordanit letters to be direct to denunce him rebell and put him to the horne And continowes the outgiveing thairoff till the 25 of this inſtant That if he compeir betuixt and that day he may be yitt hard thairwpon And for ſhuning all pretexts of excuſes for his not appeirance The eſtaits doeth heirby give wnto him thair warrand and protec̃ne to be wntrubled in his perſoune for the ſpace of ten dayes befoir the ſd 25 of augt inſtant and for the ſpace of Ten dayes efter the ſamen Diſchargeing in the meane tyme all his mãties iudges officeres and miniſteres of his lawes to burgh and land of all taking apprehending wairding or areiſting of the ſaid marqueis of Huntly be vertew of anie hornings captiounes or uther warrand qꝙomever Diſchargeing them thairoff And of thair offices in that pairt dureing the ſpace foirſaid

EDINBURGH 8 Auguſt 1643

Act anent the Lord Bamffs appearance

FORSAMEIKLE as George lord Bamff being charget be warrand from the eſtaits to have compeired befoir them at a certane day bygaine provydeit to have fund good and ſufficient cautioun for keiping of the peace and behaveing himſelff in a quyett way conforme to the lawes of the Kingdome and to have hard and ſein ſuch order tane for the peace of the cuntrey as the eſtatꝭ ſhall think fitting Wnder the paine of Rebellioune and being this day callit and compeirand be James Gibſoune & Mr Johne fleſcher advocatts Who produceit a teſtimoniell wnder the handꝭ of tuo miniſterꝭ Teſtifieing wpon thair conſciences his inabilitie to travell inreſpect of his ſeiknes Inregaird qꝙoff the eſtaitꝭ doeth yet aſſigne wnto him the 25 of this moneth for his compeirance and declaires that ꝑj will not heirefꝭ admitt of any teſtimoniell of his ſeiknes Except the ſame be ſigned be Mr Williame Chalmer miniſter at Boyne Mr Thomas Mitchell ꝓſoune of [Turreff] Mr alexr Seaton miniſter at Bamff and Mr James Guthrie miniſter at [Kynedward] or anie tua of them wpon ꝑr certane knowledge and oath And hes intimat the ſame to the ſd James Gibſoune & Mr Jon fleſcher in name of the ſd lord Bamff

EDINBT 9 Augt 1643

Forme of Caution to be fund

THAT he and all ſic perſounes as he is obleiſt to anſr be the act of parliament and generall band Shall keip his mãties peace / obſerve good rule and quyetnes in the cuntrey with all his mãties ſubjectꝭ conforme to the lawes of the Kingdome And ſhall doe nor attempt nothing directlie nor indirectlie which may tend to the truble of the peace ꝑoff Bot ſhall obtemper and obay all ſuch acts & ſtatuts is or ſalbe appoynted be the publict iudicatories of this kingdome for ꝑr end And from tyme to tyme ſhalbe anſrable to juſtice as ꝑj ſhalbe requyred And that ꝑj ſhall not publictlie nor pryvatly directlie nor indirectlie attempt any thing prejudiciall to the trew religioune pñtly proffeſſit within this Kingdome nor reſeit ſupplie nor jntercõmon wth jeſuitts ſemenarrie preiſts nor excõmunicate papiſts wnder ꝑe paine of

Edr 9 Augusti 1643

The Cõmittee to meit wt the English Comiſsioners

THE conventioun of eſtaits Conſiddering that ꝑair are ſome cõmiſſioneres ſent from both houſſes of the pliãt of Ingland Who have ſomethings to repreſent to the eſtaits Doe heirby give cõmiſſioun to the Earle of Lindſay Lord Balmerinoch Sr Thomas houp of Kerſe Sr Archibald Johneſtoun of Warieſtoun Sr Jon Smith and Mr Robert Barclay To reſave from the ſd commiſſioꝛꝭ any paperꝭ or qt ellꝭ they would have repreſentit to ꝑe eſtaits And to report the ſame with diligence.

EDINBURT 10 Augt 1643

Most sacred Soverane

Lre to his Mãtie

YOUR mãtie being hithertillꝭ be ſeverall lẽrs of the 29 of Junij 8 and 29 of Julij fullie acquainted with the proceidings of this meiting of your eſtats And thair being now ſome perſounes come wnto ꝑm from both houſſes of your parliament of Ingland They reſolve according to ꝑair duetie to give yor mãtie notice thairoff as will more fullie appeare to your mãtie be thir incloſed coppies of the paperes geven in be them Whilk be thair warrand and command I do humblie pñt to yor Mãtie And as they doe intend from tyme to tyme to rander your mãtie ane trew accompt of ꝑair proceidings ſo ſhall

I never be wanting to ꝑtribute my beſt indevo^{r} for the goode of yor mãties ſervice and to acquyte myſelff with that fidelitie wch becometh: yor mãties moſt humble & faithfull ſubject & ſ^{v}ant

Loudoun Canᵉius I P D conveñ

Ed^{r} 10 Augusti 1643

Prorogaᵒn of ane Justice Court

THE QLK DAY certane of the cõmiſſioneres appoyntit by ordour of his mãtie and the eſtaits of the lait parlia^{t} for repreſſing of the diſorderes in the heillands for the fyve ſeffdomes on the ſouth pt^{e} of the Kingdome Haveing repreſentit wnto the conventioun of the eſtaits That þ^{r} was a iuſtice court appoynted to be keipit wpon the fyfteint of this inſtant at Stirling And that diverſe of the ſaid^{e} commiſſio^{r}^{e} wer memberes of the conventioun and generall aſſemblie And in that regaird could not attend the ſaid iuſtice court And ꝑfoir defyreit the ſamen to be continewed to ſome competent day The ſaid^{e} eſtaits haveing tane this deſyre to thair conſideratioun and finding the ſamyn reaſonable They have thairfoir continowed And be thir ꝓñts continowes the ſaid iuſtice court to the 19 of Sepr nixt And ordaines lẽrs to be direct To mak publicatioun heiroff be oppen proclaᵒne at all places neidfull wherthrow nane pretend ignorance of the ſamyn And to wairne all pairties haveing entres To attend wpon the ſaid 19 of Septr With intimatioune as effeires

Ed^{r} 10 August 1643

Cõmittee to meit wth the English Cõmiſsioners

THE Eſtaits gives heirby commiſſioun to Johne Earle of Lindſay Johne lord Balmerinoch Sr Thomas hoope of Kerſe Sr Archibald Johneſtoun of Wareſtoun Sr Jo^{n} Smith and Mr Robert Barclay or any four of them Ther being one of every eſtaite To meit with the Earle of Ruthland Sr Williame Armyne S^{r} harie Vaine Thomas Hatcher and Henry Darnely Commiſſioneres ſent from both houſ^{s} of the parliament of Ingland Or any thrie of them And to reſave from them all ſuch paperes and demandis as þej ſhall preſent wnto them for ſetling all materes of debt and accompts In which the Kingdome of Ingland ſtand^{e} ingadged to this Kingdome Or any other thing which doeth concerne the good of both Kingdomes And to treate and conſult with þ^{m} thairanent And to report the ſamen to the eſtaits Befoir they conclude any thing thairin

EDINBURGH xj August 1643

Caution for the Lord Herreis

THE QLK DAY in ꝓñce of the conventioun of Eſtaits Compeirit ꝓñly Thomas lord Kirkcubright and became actit and obleiſt caũr and ſovertie for Johne lord hereis That the ſaid lord Hereis and all ſic other perſounes as he is obleiſt to anſ^{r} for be the lawes actis of parliament and geñell band Shall keip his mãties peace Obſerve good rule in quyetnes in the cuntrey with all his mãties ſubiect^{e} Conforme to the lawes of this Kingdome And ſhall doe nor attempt nothing directlie nor indirectlie which may tend to the truble of the peace thairoff Bot ſhall obtemper and obay all ſuch ſute and ſtatutes as ſhalbe appoynted be the pub^{r} iudicatories of the kingdome for that end And ſhall from tyme to tyme be anſ^{r}able to iuſtice as þej ſhalbe requyred And that þej ſhall not publictlie nor privatly directlie nor indirectlie attempt any thing prejudiciall to the trew religioun ꝓñtly profeſſit within this Kingdome Nor reſet ſupplie nor interteane with Jeſuitts ſemînares preiſts nor excommunicate papiſts Vnder the paine of 10000 m^{k}^{e} Lykas the ſaid lord Heres bind^{e} and obleiffis him and his aires To releive his ſaid caũr of the premiſ^{s} and of all danger he may incur thairthrow for ever

Ed^{r} 15 August 1643

James hãmiltons accompts allowed 13932 lib sterline

THE QLK DAY the lords and commiſſioneres of the eſtaits ꝓñtly conveined haveing red and conſidered James Hamiltoun of Bogis his accompt perwſed be ordour from the eſtaits be Robert lord Burghle Sr Alex^{r} Schaw of Sauchie and Williame Thomſone Cõmiſſer of the Scottiſch airmie in Ireland They have allowed of the ſaid accompt And ordaines the ſamen to be inſ^{r}t and reg^{r}at in the book^{e} of conventioun Off the qlk the tenour followes

THE accompt of moneyes addebtit be the publict to James Hamiltoun of Boigs for the proviſioun of meall and uther neceſſer^{e} furniſched be him to the ſcottiſch airmie in Ireland

IN PRIMIS Conforme to ane contract in Sepr 1642 5000 boll^{e} meill at 10 lib the boll payable at mertymes 1642 the on halff and the uther halff at candlemes thairefter Extendis to fiftie thouſand pund ſcotts Is ſterling money	04166	13	04
Item for the ãrent þoff to ñtymes 1643	00291	13	04
Item by act of counſell in december 1642 / 1000 boll^{e} meall ſent by land at 10 lib per boll Extend^{e} to Inglifch mo^{r}	00833	06	08
Item allowed to him by the counſell for cariadge and uther charges 500 lib ſterling Inde	00500	00	00
Item for the ãnuelrent of the ſaid^{e} tua fowmes till ñtymes 1643 yeares	00080	00	00

Item by contract in appryll 1643 4000 bollᶜ meill at 17 m̃kᶜ per boll Wheroff the on halff being payed in readie money Ther reſts for the uther halff payable at witſonday 1643	01888 17 09
Item for þe ärent þof to mertymes 1643	00075 11 02
Item furniſched be the lady lindſay her ordour in July 1642 4373 bollᶜ meill togidder with feckᶜ at xj lib per boll in Ingliſch money	00400 09 02
Item for ärent thairoff from lambes 1642 to mertymes 1643 yeares The ſowme of	00040 00 00
Item for 4500 bollᶜ meill being my pairt of 6000 bollᶜ appoynted to be ſent overland in Julij laſt Is now reddie ſhipped and to be ſhipped for Ireland at 20 m̃kᶜ per boll	05000 00 00
Item for 500 bollᶜ moir agreid for be Capitane Moncreiff at the ſame pryce Extending to	00555 11 02
Item agreid with the lord Burchlie for 2000 hwickᶜ and 100 ſythes for ſheiring and mawing	00100 00 00
The totall ſowme of the articles abovewr̃in threttein thowſand nyne hundreth threttie tua pundᶜ tuo ſhilling 7 d ſterling payable at m̃tymes 1643	13932 02 07

AT Edr the ellevent day of Auguſt 1643 yeares We wnder ſubſcryveing by vertew of ane warrand from the cõmiſſioᵒʳᶜ of the conventioun of eſtaits of the dait the tent day of the ſd moneth of Auguſt Have peruſeit the accompt of James hammiltoun of the Boogis wr̃in on þe wther ſyde and have fund the ſamyn iuſtlie calculated and the particular articles thairof iuſtlie inſtructed by reſepts of Alexander Mure and warrandis from the lordᶜ of counſall The ſaid James hamiltoun being alwayes obleiſt to deduce thairoff ſuch ſowmes as Williame Thomſoune or any uther cõmiſſeres of the airmie have payed for fraucht of the faidᶜ victualles to Ireland And being lyable to report ſufficient reſſaits from the ſaid Alexr Mure or utheres reſaveres of the airmies victuallᶜ for the number of bollᶜ of meill farther barganed for being 5000 bollᶜ of meill conteined in the tuo laſt articles of the accompt which are pũtly to be ſent wpon þe puȳt hazard according to þe tenor of þe former contracts made wth him ſic ſũr J Burghlye

Al Schaw: Williame Thomſone

Edr 15 Auguſt 1643

James Stuarts accompt allowed 13200 lib ſterl

THE QLK DAY the lordᶜ and cõmirᶜ of eſtaites pũtly conveined haveing red and conſiderit Mr Robert farqr and James Stewart thair accompt wnderwr̃in peruſed by ordour from the ſdᶜ eſtaits be Robert lord Burchly Sr Alexander Schaw of Sauchie and Williame Thomſon They allow of the ſaid accompt and ordaines the ſamyn to be inſert and reg̃rat in the bookᶜ of conventioun Off the qlk the tenour followes

MR Robert Farquher and James Stewart ther accompt of meale furniſched preceiding the xj of auguſt 1643 for the wſe of the ſcottis airmie in Ireland by contract at the ordinance of the counſall

ITEM by vertew of a contract made betuixt Johne Earle of Loudoun lord Chancler of Scotland and Archibald Marqueis of Argyll on the ane pairt and Mr Robert farqr and James Stewart m̃chants daittit 19 m̃ch 1642 for 10000 bollᶜ meill at 10 lib the boll is	8333 06 08
Whilk was delyverit to Alexr Mure receater of the victuall for the ſcottiſh airmie at Carickfergus according to his recept daitit the 25 of Auguſt 1642 for the whilk 10000 bollᶜ we wer compleitlie payit by the ordinance of the counſell at london	
Item by vertew of the ſame contract which beares that what we furniſch more to have the lyk pryce and payment 4644 bollᶜ meill at 10 lib wheroff we have precept wpon my lord lindſay or Williame Thomſoune Extends in Sterling money to	3870 00 00
Mair the rent þoff from mertymes 1642 to mertymes 1643	0310 00 00
Item to James Stewart by contract in Sep̃r 5000 bollᶜ meill at 10 lib the boll wheroff 3000 bollᶜ payable at mertymes 1642 and 2000 bollᶜ at candlemes 1643	0200 00 00
Mair the ärent of 2000 bollᶜ fra candlemes 1643 to mertymes 1643 yeares	0100 00 00
Item 1000 bollᶜ by land by act of counſell in December 1642 at 10 lib the boll Is	0833 06 08
Item by vertew of the ſamyn act allowed James Stewart by the counſell on þe preceiding 6000 bollᶜ	0500 00 00
Item the rent of this 1000 bollᶜ and the rent of the 500 lib fra Candlemes to mertymes 1643 yeares	0080 00 00

Item be contract in appryll 1643 3000 bollꝭ wheroff halff payit in hand at 17 m̃kꝭ the boll the wther halff at witſonday 1643 Extendꝭ to 1416 13 04
It° the ãrent þ'off to m̃tymes 1643 0056 13 04
Item for my pairt of 6000 bollꝭ meill wndertakin to be ſent by land in July 1643 Wheroff my pairt 1500 bollꝭ at 13 ℔ 6 ß 8 đ the boll payable at m̃tymes 1643 Is 1666 13 04

ALL this meill inſtructed by Alex' Mures reſſaittes except the laſt article q^lk is on the publicts hazard in all adventures Except inlaik of meaſureing when it comes in good conditioune to the port of Carictfergus

THE iuſt ſowme addebtit to James Stewart Conforme to the accompt abovewr̃in payable at mertymes nixt in this inſtant yeir of God 1643 yeires Extendꝭ to 13200 lib St^a ling

AT EDINBUR^T xj° Auguſt 1643

BY vertew of ane ordinance and warrand from the lordis and utheres of the conventioun of eſtaits of the dait the Tent day of this moneth of Auguſt We wnder ſubſcryveing have peruſeit the accompt abovewr̃in And have fund the ſamyn iuſtly calculated and the particular articles þ'off richtlie inſtructed by Alexander Mure his recepts and warrandis from the lordis of counſell / The ſaid James being alwayes lyable to deduce out of the ſaid ſowme ſuch moneyes as Williame Thomſoune or any uther commiſſeres of the airmie have payit for fraucht of the ſd victuallꝭ to Ireland And being lyable to report ſufficient reſepts from the ſaid Alexander Mure or any uther reſaveres of the ſamȳ victuallꝭ for the number of bollꝭ of meill farther barganed for being ane thowſand fyve hundreth bollꝭ which are preſently to be ſent wpon the pub^t hazard according to the tenour of the former contractis made with him · ſic ſub̃r J Burghly A ſhaw / Williame Thomſone

EDINBURGH 15 August 1643

The marques of Argylls compt allowed

THE eſtaites haveing red and conſidered the act of counſell wnderwr̃in made in favoures of the Marqueis of Argyll Have allowed and allowes and approves the ſamyn And ordaines it to be inſert and reg̃rat in the bookꝭ of conventioun Wheroff the tenour followes

At Edinburgh 10 August 1643

M. Argyll 81377 lib. ſcots

FORSAMEIKLE as the Marqueis of Argyll hes be publict warrand and otherwayes advanced certane greate ſowmes of money for furniſching victuall hering and utheres neceſſares for the wſe of the ſcottis airmie in Ireland Extending to the ſowme of fourſcoir on thouſand thre hundreth ſeventie ſeven pundꝭ ten ſhilling v đ ſcottis as the particular compt thairoff reviſed and allowed be the cõmiſſer of the airmie wnder his hand doeth appeare And the lordꝭ of privie counſell finding that the ſaid ſowme hath bein wndertane and advanced be the ſaid Marques for the neceſſarie good of the airmie And that it is iuſt that his lop̃e have releiff and repayment thairoff They doe þ'foir declaire and ordaine that the ſaid ſowme with the ãrent thairoff from the t̃mes of lambes laſt to be als tymeouſlie and thankfullie payit to him and is als iuſt a debt wpon the airmie as any uther ſowmes advanced for furniſching the airmie be contract with the counſell And that þej will have a cair to ſie the ſame payit with the firſt publict courſe that ſhall be tane for releiff of the ſd airmie or payment of any ſowmes that have bein advanced for furniſching thairoff It is alwayes heirby declaired notwithſtanding the tuelff thowſand pund ſcotts lent be the ſaid marques upon the act of counſell commiſſioneres of peace and common burdings is compted as a pairt of the ſaid ſowme Yet the ſame (with the lord Marques his awin voluntar conſent) is only to be payit when payment ſhalbe made to otheres who advanced upon that ſecuritie And the haill ſowme abovewr̃in being payit All former actis contractis or bandꝭ for the ſamen or any pairt þ'off ſhalbe voyde of non effect ·

ED^R 15 August 1643

Act for the Loan & Taxt

FORSAMEIKLE as the Kings Mãtie and eſtaits of this realme in the late parliament Taking to thair conſideratioune the rebellioun in Ireland and danger wpon that occaſioun threatned againſt the proteſtant religioune Did thairupon and out of thair affectione to the Kingdome of Ingland mak offer to the ſaid Kingdome of a ſupplie of Ten thowſand men from this Kingdome for ſuppreſſing of that rebellioun to be interteined by the parliament of Ingland according to the capitula°ne made þ'anent by the cõmiſſioneres ſent from the pliat of this kingdome With inſtruc°nes ſent from the lordꝭ of privee counſell þ'off And accordinglie the ſaid ſupplie being put over wpon the greate charges of this kingdome / Such have bein the greate neceſſities and wants of that airmie als weill officeres as ſouldieres not only throuch default of thair ordinarie pay but alſo of victuall in the ſpaireſt meaſure and all other neceſſaries / That the lordꝭ of privee counſell / wnto whom the caire of thatt airmie was intruſted by the parliament / and who did accordingly wndertake for the ſame / have bein put to greate truble and charges / both by ingadgeing þ^m ſelffis / and with them alſo the cõmiſſio^rꝭ for the peace and cõmon burdings / As alſo by thair joynt invitatioune

of the well affected ſubjects of this Kingdome to contribute ſowmes of money for intertainment of that airmie and payment of the arreares thairoff Which they are obleidgeit to pay with the ordinarie ãrent / And howſoever conſiderable ſowmes have bein by thair painfull endevoures received / Notwithſtanding / ſuch have bein the preſſing miſeries of that airmie in regaird of the wnhappie diſtractiounes [in England] diſableing the parliat thairoff / according to thair obleidgement to intertein them / as they have expreſſit in thare ſeverall declaratiounes ſent to the lordꝭ of his mãties privee counſell / And ſuch have bein the difficulties occurring to the ſaidꝭ lordꝭ of privee counſell / commiſſioneres of peace / and common burdings / tutcheing the farther interteinment of that airmie / which they fund impoſſible for them any longer to wndergoe as they wer moved from thair affecone to his mãties ſervice and ſenſe of the diſtreſſe of thair breithrein / for this and wther the lyk extreame exigence neirly importing the good of this Kingdome / to call this conventioun of eſtaits / by whoſe authority they micht more warrantably proceid in materes of ſo greate importance / And the ſaidꝭ eſtaits haveing accordingly taking to thair conſideratioun the conditioun of the ſaid army / and the wholl courſe and procedoure concerneing the ſame as is befoir expreſſit

THERFOIRE and for diverſe uther conſideratiounes moveing the ſaids eſtaits / They have thoucht fit ſtatute and ordained / Lykas by thir pũts they ſtatute and ordaine the ſowme of tuelff hundreth thouſand mkꝭ ſcottis mocr Togidder with the ſowme of ane hundreth thowſand mkꝭ money foirſd as allowance for charges of ingathering of the ſamen to collectoꝝ clerkꝭ and other neceſſarie memberes and for allowance of exemptiounes for mortificatiounes and the lord chancellour and fyftein ordinary lordꝭ of the ſeſſioun / perſounes exeimed as is eſ ſpẽit To be wpliftit be way of loane out of the ſeverall ſeffdomes and borrowis of this Kingdome in maner as is efter devydeit viz The ſaidꝭ borrowes one fixt pt of the priñll ſowme Extending to 200000 mkꝭ And the ſeverall ſeffdomes of this Kingdome to pay the remnent of the ſaidꝭ ſowmes / Conforme to a particular roll made and ſett doun thairanent and ſubſcryved in preſence of the ſaids eſtaits by the Lord chanlr To remaine in record in the bookꝭ of conventioun and collecone Which wholl ſowmes of money to be lent as ſaid is als weill to burgh as land ward ſhalbe delyvered to the collectoures and utheres haveing power from the ſaidꝭ eſtaits betuixt the date heiroff and the ſecond day of februar nixt to come 1644 yeares And becaus the ſowmes of money preſently to be lent are not to be ingathered aff the ſhyres / as taxatiounes have bein / or by the deviſiounes of temporalities and ſpiritualities / But rather is thoucht fitt that the ſamen may be wplifted out of the landꝭ teindꝭ / and utheres / as they lye locallie in every ſeffdome / promiſcuouſly conforme to the ſd roll ſubt as ſd is Thairfoir it is thoucht neceſſarie that ſeverall ſubcollectoures be appoynted throuch the wholl kingdome in ilk ſhyre or ſhyres one or more / which ſubcollectoꝝ or collectoures ſo to be appoynted ſhalbe chargit with the wholl ſumes of moneyes to be lent by the ſhyre or ſhyres wher he or they ſhalbe collectoure /

AND to the effect the ſaids ſubcollectoures may have lẽrs of releiff againſt the ſeverall perſounes to be contained and ſett doun in the rolles efter mentioned

THAIRFOIR the ſaidꝭ eſtaits have nominat the perſounes following viz for the ſreffdome of Orkney Thomas Buchannan of Sound ſeff of Orkney / and Patrik Smith of Bracco conveineres for the firſt meiting (and thairefter the reſt of the ſhyre to choyſe pair awin conveineres) James Baikie of Tankernes / Adame Bellandaine of Stanehouſe James Mudie of Melſetter Patrik Balfour of Farrey Edward Sinclar of Gyre.

FOR the ſeffdome of Inuernes and cromartie Sr Johne McKenge of Tarbett Mr Alexander McKeinge of Kilcowie conveineres for the firſt meiting (and thairefter the reſt of the ſhyre to choyſe thair awin conveineres) Walter Innes of Innerbraikie / Colin Mackeingie of Kincraig Monro of Obſtaill Alexander Dumbar of Bennerffeild Robert Innes of Roſkeine Hugh fraiſer of Belladrum Johne Grant of lurgie Johne Mclelland of Dunvegan Neill Mackneill of Baro Sr James fraſer of Bray Roſſe of Pitcarie Walter Roſſe of Kindroſſe Thomas Roſſe of Preiſthill

FOR the ſreffdome of Caitnes Sr James Sinclair of Murtill Dauid Sinclar of Dun conveineres for the firſt meiting (and thairefter the reſt of the ſhyre to mak choyſe of thair awin conveineres) James Sutherland of forſe Dauid Cogle of that ilk / Johne Sinclar of Scrabſter / James Sinclar of Brymnes / Johne Innes of Stinſter

FOR the ſeffdome of Sutherland Sr Alexr Sutherland of Duffus Robert murray of Pultroſſie conveineres for the firſt meiting (and thairefter the reſt of the ſhyre to choyſe thair awin conveineres) Robert Gray of Creich Walter murray of Pitgourdie Alexander Gordoun of Carrell Hugh Mackee of Schowrie Robert Gray of Baltoun

FOR the ſeffdome of Nairne George Campbell brother to the laird of Caddell William Dollace of Cowtra conveineres for the firſt meiting (and thairefter the reſt of the ſhyre to mak choyſe of thair awin [conveineres]) Hugh Roſſe of Kilroak Alexander Broddie of Lethin / Johne Grant of Moynes Williame Roſſe of Clava Thomas Dumbar tutour to Grange Patrik Paplay of Broomehill

FOR the ſeffdome of Elgine Sr Robert Gordoun of þ^t ilk [Sr Robert Innes of that ilk] conveineres for the firſt meiting (and thaireft the reſt of the ſhyre to mak choyſe of thair awin conveineres) Sr Alexander Sutherland of Duffus Mr Johne Hay proveſt of Elgin Alexander Dumbar of Weſtfeild / Niniane Dumbar of Graingehill James Grant of frewchie Johne Cuming of Racowcas

FOR the ſeffdome of Aberdein the laird^e of Drum and Phillorth to be conveineres for the firſt meiting (and thairefter thoſe of the ſhyre to mak choyſe of þair awin conveineres) Robert farquharſoune of Inuercald Johne Irveing of Beltie Alexander Strauchane of Glenkendie Sr Williame forbes of Cragievar Mr Williame Dauidſoune of Cairny Sr Gilbert Mingies of Pitfoddell^e Thomas Erſkine of Pittodrie Mr Robert farquhar of Munie Mr Robert Gordoun of Pitlurg Gordoun of Cockclarochie Johne Oudnie of that ilk James hay of Murefauld Robert Irveing of fedret Williame Keith of Clakriach

FOR the ſeffdome of Bamff Alexander Ogilvie of Kempcairne Thomas Abercrombie of Skeith conveineres for the firſt meiting (and thairefter thoſe of the ſhyre to choyſe thair awin [conveineres]) James Stewart of Ordines Alexander Grant off Melleres Alexander Ogilvie of Knock James Barclay of Kinminnettie Alexander leſlie of Auchindoun / Johne Grant younger of Ballindalloch

FOR the ſeffdome of Kincarden Sr Alexander falconer younger / fiar of Halkertoun / Sr Alexander Carneigie of Pittarro conveineres for the firſt meiting (and thairefter thoſe of the ſhyres to mak choyſe of thair awin conveineres) Sr Robert Grahame of Morphie Sr Gilbert Ramſay of Balmaine / Robert Keith of Whitteriges ſeff deput of Kincarden Patrik falconer of Newtoun John Barclay of Johneſtoun / Johne falconer fier of Newtoun

FOR the ſeffdome of forfar / Robert Arbuthnet of findowry Sr Alexander Carnegie of Balnamoone conveineres for the firſt meiting (and thairefter the reſt of the ſhyre to mak choyſe of thair awin conveineres) Johne lord lour Peter Young of Seatoun Williame Ruthven of Gairne Mr James Durhame of Pitcairo James Vicount of Dudop Williame Durhame elder of Grange Mr Williame Durhame of Omachie Maxwell of Telin James lord couper James Chrichton of Ruthven Sr Williame Blair of Bagillo Lyon of Brigton Henry Mauld of Melgune Thomas forthrenghame of Dunnune

FOR the ſeffdome of Perth the lairds of Inchbraikie and Inchture conveineres for the firſt meiting (And thairefter to mak choyſe amongſt themſelffis) Thomas Blair of Balthyock Sr Thomas Ruthven of frieland Johne oliphant of Bachilton Peter hey of leyes Sr Patrik Ogilvie of Inchmartein / Sr Robert Campbell of Glennorquhie Alexander Meinzies of Comrie Patrik Ratra of Craighall Gilbert Campbell of Keithik / Johne Blair of Ardblair Mr Patrik murray fier of Ochtertyre James Drummond of Milnab Sr Jo^n Hadden of Gleneigies Williame Stirling elder of Auchylle

FOR the ſeffdome of fyffe and Kinroſſe the laird^e of Scottſcraig and Denmilne to be conveineres for the firſt meiting / (and thairefter to mak choyſe amongſt themſelffes) Sr James Halket fier of Pitfirrane Williame Monteith of Randforde Johne Henderſoune of fordell / Robert Dempſter of Balbougie Sr George Hamiltoun of Blaikburne Sr Johne Weymes of Bogey Mr Robert aytoun of Inchdernie Sr Andro Skeine of Halyeardes / Sr James Arnott of fairnie Sr Johne Aytoun of that ilk James Maekill of Rankeillour elder George Hay fier of Nauchtoun Sr Thomas Myretoun of Cambo Mr James Reid of Pitlethie Willia forbes younger of Rires Sr Williame Douglas of Kirknes and Dauid Balfour of Ballo

FOR the ſeffdome of Stirling Murray of Pollmaes / Johne Rollock of Bannockburne conveineres for the firſt meiting (And thairefter the reſt of the ſhyre to mak choyſe of thair awin conveineres) Sr Thomas Nicolſoune of Carnock Williame levingſtoun of Weſtquarter Williame Roſſe of Johne Sterling of harbertſhyre / Sr James levingſtoun of Bancloach Stirling of Glorat Kinkead of Achinreth hāmiltoun of Baldure Williame Blair of fennick Johne lennox of Cairneſchogle / Mr Williame Cuninghame of Balindalloch Mr Robert Naper of Kilcreuch James Stirling of Balwill Alexander Cuninghame of Balwhane

FOR the ſeffdome of Clakmannan Sr Charles Erſkine of Bandeth Sr Robert Bruce of Clakmannan and Sr Alexander Schaw of Sauchie conveineres for the firſt meiting (and thaireft to mak choyſe amongſt themſelffs) Mr Robert Bruce of Kennet James Hadden of Myretoun Wām Grahame of Hiltoun Wām Reid of Craigheid

FOR the ſeffdome of Ed^r Sr Archibald Johneſtoun of Wareiſtoun and the laird of libbertoun to be conveineres for the firſt meiting (and ſeft to mak choyſe amongſt themſelffs) Sr Patrik Hāmiltoun of litle Preſtoun Sr Williame Scott of Clerkingtoun Dauid M^cculloch of Guidtrees Mr Johne Inglis of Nether Crawmond Mr Dauid Anderſoune of Hill Mr Johne Cant of Pentland Mark Kerſe of Cokpen Mr Samuell Johneſtoun of Scheanes

FOR the ſeffdome of linlithgow the laird^e of dundas and Balbauchlaw Conveiner^e for the firſt meit-

ing and thairefter to mak choyſe amongſt themſelffis Williã Drummond of Rickertoun Sr Walter murray of livingſtoun George dundas of dudingſtoun Sr Robert Drummond of Medope / Mr George Dundas of maner Mr James Hammiltoun of Weſtport / Samuell Drũmond of Carlowrie

FOR the Sreffdome of Hadingtoun Sr Patrik Hepburne of Wauchtoun and Sr Adame Hepburne of Humbie conveineres for the firſt meiting and þeſt to choyſe amongſt themſelffis Mr Hepburne of Smeittoun Patrik Inglis of Elwingſtoun Mr James Sydſerffe of Ruchlaw Johne hepburne of Craig Mr Alexr Hay of Bara Williame Cairnes of Pilmure George Woode of Newmilnes

FOR the ſeffdome of Berwick the lairdꝭ of Aitoun and Blaikader conveineres for þe firſt meiting and thairefter to choyſe amongſt themſelffes George Auchinleck of Cumledge Alexander Hoome of Reſtoun Alexr Hoome off Rollaſtoun James hoome of Caſtellaw Mr Alexander Hoome of Sr leonardꝭ Mr George Hoome of Kymmergem William Hoome of Linthill

FOR the ſeffdome of Roxburꝭ the lairds of Stobbes and Caveres conveineres for the firſt meiting And thairefter to mak choyſe amongſt themſelffs Sr Walter Riddell of that ilk Mr George Dowglas of Boonejedr Johne Ker of lochtour Robert Pringill of Stitchell Johne Scott of Gorronberrie Walter Scott of Gandilandꝭ Mr Gilbert Elliot of Craigend James Pringle of Bucholme Johne Scott of Heidſhaw Johne Rutherfoorde of Caphope Robert Langlands of that ilk Walꝭ Riddell portioner of Bewlie Andrew Bell of Mow Andrew Ker of Sinles

FOR the ſeffdome of Selkirk the lairdꝭ of harden and Whitfleid conveineres for the firſt meiting and þeſt to choyſe among themſelffes James Pringle of Torwoodlie James Pringle of Whytbank Neill Scott of Gallaſheillꝭ Williame Scott of Newpark Robert Scott of Hairtwoodmyres Robert Scott of Bowhill Francis Scott of Syntoun

FOR the ſeffdome of Peibles Sr Alexr murray of Blakbarronrie Sr Dauid murray of Stonehope conveineres for the firſt meiting and þeſt to mak choyſe among themſelffs Sr Michaell nafmith of Poſſo Mr James lawſoune of Carnemure Rot Hunter of Polmoode Andrew Hay of hayſtoun Williame Govane of Cardrona

FOR the ſeffdome of lanerk the lairds of Belſtaine and dalſerff conveineres for the firſt meiting and þeſt to choyſe amongſt themſelffes Sr James hãmiltoun of fingletoun Edward hammiltoun of Stillertonhill Gawin hamiltoun of Raploch Wm Baillie of Carphin Robert hamiltoun of Aikinheid Crawfoorde of Ribberres Andro hãmiltoun portioner of Overtoun Sr Williame Baillie of Lamingtoun Sr Williame Carmichaell fier of that ilk George Weir of Blaikwode Johne Bannatyne of Corhous James hamiltoun of halcraig James Windrahame of Wolſtoun Mr Jon Carmichell commiſſer of lannerk James hamiltoun of Sandiholme.

FOR the ſeffdome of Air the lairdꝭ of Rowallen and Corſbie conveineres for the firſt meiting And þeſt to choyſe amongſt themſelffs Hew campbell of Ceſnock James Chalmer of Gadgirth Sr Williame Cocherane of Cowdoun Allane Cartheairt younger of Cairnehill Robert ferqr of Gilmilcroft Neill montgomerie of langſhaw Robert montgomerie of hiffilheid Johne Crawfoorde of Crawfoordeland Dauid Kennedie elder of Kirkmichell Thomas Boyd of Pankill Gabriell Porterfeild of hapland Jon Cuninghame of Bordland Henry Kelſo of Johne Mcalexander of Corſeclayes Jon Mcclevine of Grimmett Mr Adame Cuninghame of Privikꝭ

FOR the ſeffdome of Wigtoun and ſtewartrie of Kircudt the laird of Garthland and the young ſeff of Galloway conveineres for the firſt meiting and þeſt to mak choyſe among themſelffes Sr Patrik Magie of Largꝭ [John Makgie of Balmagie] Williã Greirſoune of Bargaltoun Alexr Gordoun of Erſleton James Roſſe of Bannell Johne Mculloch of Mertoun Johne fullertoun of Cairletoun Robert Mculloch of Drumorell George Glendoning of Mochrum Williã Gordoun of Crawchlaw Wchtrey mcdougall of freuch · Patrik Agnew of Seuchrane Ritchard mure of Caſſinearry Thomas macclellane of Colin Patrik Agnew of Barnewell Johne Stewart of Schambelly Williame Glendining Provoſt of Kirkubricht James lafreis

FOR the ſeffdome of Dumfreis the laird of lag and conveineres for the firſt meiting and þeſt to mak choyſe amongſt themſelffes Mr George Douglas of Pymure Thomas ferguſoune of Caitloch Johne Crichtoun of Crawfoorde Johne James Douglas of Mortoun Williame Maxwell of Steilſtoun Jon Greirſoune of Chappell Huch Charteres of Glencorſe Alexr ferguſone of Ile James Douglas of Muſewall Robert Charteres of Duchra James Johneſtoun of Coreheid Andrew Jonſtoun of locherby Mathew Wilſone of Greinhill franeis Scott of Cartertoun Johne Kennedie of halklaithes Archibald dowglas of dronnock

FOR the ſeffdome of Renfrew The laird of Greinock and conveineres for the firſt meiting and thairefter to meit and choſe amongſt þmſelffs Sr lodoweik houſtoun of that ilk Johne Birſbane of Biſchoptoun Alexander Porterfeild of that ilk Pook elder of that ilk Caldwall of that ilk Johne Maxwell of Southbarre James Orr of langfillie

FOR the ſeffdome of dumbartane the laird of folwoode conveiner for the firſt meiting and thareft to choyſe amongſt themſelffes Walter mackaulay of Ardincaple Johne Naper of Kilmachew Robert Hall of fulbar Robert cocherane of Bellancorik Carſhore of that ilk Johne Colwhoune of Kilmadynnie Huch crawfoorde of Claverhill Johne Denneſtoun of Dalwharrie

FOR the ſeffdome of Argyll the lairdꝭ of Glenurwhie and Auchinbreck conveineres for the firſt meiting and þeft to choyſe amongſt themſelffes James Cambell of Arkinleis Archibald Campbell of Kilmure Sr lauchlane Mᶜclane of Dowart Archibd Campbell of Dunſtaffnik ſeff depute of Argylle George Campbell Hector Mackneill

FOR the ſeffdome of Bute the laird of Skelmorlie conveiner for the firſt meiting Sr James Stewart of Kirktoun Niniane Stewart of Kilcatton Niniane Stewart elder of Aſcok Hector Bannatyne of Caymes Johne Stewart of Aliſmore Neill mackneill of Kilmore Johne Campbell ſometyme Provoſt of Rothſay

WHO ſhall convein with the wholl heritoures lyferenteres takſmen titulares propper wodſetteres penſiouneres coniunctfieres lady terceres and utheres within ilk on of ther ſd ſeffdomes reẽtive Or at leiſt with ſo many of the ſaidꝭ perſounes as ſhalbe conveined for the tyme wpon the firſt tueſday of october nixt as the firſt day of thair meiting appoynted for the wholl ſhyres of the Kingdome And to the effect the ſamen may be knawin to the wholl leidges /

IT is ordained þt the conveiner or conveineres of the ſhyres befoir named ſhall cauſe intimat þe ſaid meiting at þe mcate croce of the heid burgh of the ſhyre with all convenient diligence and at everie paroſch kirk þoff jmmediatly eft divyne ſvice wpon any ſunday preceiding the 22 day of Sept nixt and to meit ilk ſhire at the places following viz The ſeffdome of Orkney at the toune of Kirkwall The ſeffdome of caitnes at the toun of thurſay the ſeffdome of Sutherland at þe toun of dornoch the ſeffdomes of Inuernes & cromertie at þe burgh of Inuernes The ſeffdome of Nairne at the burgh of Narne The ſeffdome of Elgin at the burgh of Elgin The ſeffdome of Bamff at þe burgh of Bamff / the ſeffdome of Aberdein at þe burgh of Aberdein / the ſeffdome of Kincardine at þe burgh of Stanehyve / the ſeffdome of forfar at þe burgh of forfar The ſeffdome of Perth at þe burgh of Perth the ſeffdomes of fyfe [and Kinros] at the burt of Couper the ſeffdome of Clekmennan at þe toun of Clekmennen the ſeffdome of Stirling at þe burgh of Stirling The ſeffdome of Renfrew at þe burgh of Renfrew The ſeffdome of Dumbarten at þe burgh of dumbarten The ſeffdome of Argylle at þe burgh of Inuerara The ſeffdome of Bute at þe burgh of Rotheſay The ſeffdome of lanerk at þe burgh of lanerk The ſeffdome of Air at þe burgh of Air / the ſeffdome of wigtoun and Stewartrie of Kirkcubricht at þe burgh of Wigtoun The ſeffdome of Dumfreis at þe burgh of dumfreis The ſeffdome of Roxburgh at the burt of Jedr The ſeffdome of Selkirk at þe burgh of Selkirk The ſeffdome of Peibles at þe burgh of Peibles The ſeffdome of Berwick at þe toun of Duns The ſeffdome of hadingtoun at þe burgh of hadingtoun The ſeffdome of Edr at þe burgh of Edr The ſeffdome of linlithgow at þe burgh of linlithgow And there the ſaidꝭ conveineres or any of them with ſuch wther cõmiſſioneres as ſhalbe convened for the tyme ſhall cauſe call by name and furname the heritoures lyferenteres / titulares / takſmen of teindꝭ propper wodſetteres penſioneres / ladieterceres and others within the ſd ſeffdomes who brooke any benefeitt to landward wherby any proffet or commoditie aryſeth And by conſent of them or moſt pairt of them conveined for the tyme ſhall mak choyſe of a ſelect number of perſounes to be joyned with the foirſaidꝭ cõmiſſioneres choyſen by the conventioun to þe number of eicht perſounes in the foirſdꝭ ſhyres where þere are ſextein choyſen by the conventioun And to the number of thre perſounes in the reſt of the ſhyres being iudicious conſciencious and wnderſtanding men / who ſhall (asweill theſe nominated as theſe to be ellected) give þr ſolemne oathes iudicially at þr [firſt] meitinges in pñce of the ſaid conveiner or conveineres Who are heirby authorized to tak þr oathes to doe wprichtly and impartially according to þr beſt knowledge and informatioun in the particulares following With power to the ſaidꝭ commiſſioneres or moſt pairt of them conveined for the tyme To mak choyſe of a Clerk for writting and formeing of the rollꝭ eft ſpëit and doeing everie uther thing incumbent to the charge eft following

WHICH Commiſſioneres ſo nominate and elected ſhall wſe all lawfull meanes according to the tyme / and if neid be / ſhall direct out ſummons at þair awin inſtance againſt any pſone or perſounes within the ſaid ſhyre To compeir befoir them and give them informatioune wpon oath or utherwayes with certificatioune of a pecuniall ſowme not exceiding fourtie lib toties quoties Incaice of contempt and refuiſall.

AND with power to the ſaids cõmiſſioneres to wſe all [other] legall ways to informe themſelffes of the iuſt and trew worth of every pſoune or perſounes thair pñt yeares rent of this crope and yeir 1643 to landward / as weill of landꝭ and teinds as of any uther thing wherby yeirlie proffeit & commoditie aryſeth

AND that the worth of everie perſoune or pſounes þr lands teindꝭ and other commodities where greſſumes and intereſſ have bein payit be valued and

ſet doun not only as they pay to the heritoures lyferenteres and uther℄ þair maiſter℄ / but as the ſame are worth and may pay p̃tly without reſpect of greſſumes or entreſſes and to devyde the ſaid℄ roll℄ in particular paroches by making a roll for every ſeverall paroch within the ſaid ſhyre Which roll ſhall contine everie particular perſounes name ſurname and deſignatioune with thair ſaid℄ yeares rent and cõmoditie within the ſaid paroch whither in victuall money or uther cõmodities

AND the ſaid victuall and commodities to be converted into money by the ſd℄ commiſſioneres wpon thair former oathes according as in every paroſch the pryces of ſeverall ſpaces of victuall and commodities ſhall rule for the tyme Deduceing aff the ſaid℄ rentis and commodities what is payit furth þ'off to miniſteres ſchoolm'℄ ſuperio'℄ takſmen lyverenteres colleidges and [hoſpitals] Whilk deductioũnes [aff] the ſd℄ lyverenteres takiſmen and ſuperio'℄ ſhalbe chargeit wpon the ſd℄ lyverenteres takſmen and ſuperio'℄ by articles apairt Togidder with any [other] rent / if any they have within the ſd paroſche

AS alſo Becaus it is neceſſary to be knowen what the ſaid deduc'nes of miniſteres and ſchoolm'℄ ſtipendis and exemp'nes extend℄ to / It is appoynted and ordained / that at the end of everie on of the ſaid℄ roll℄ / Articles ſhalbe ſet down thairoff vĩz One for the ſd℄ deductioũnes of miniſteres and ſchoolmaiſteres ſtipends / and another for the ſaid℄ exemptioũnes of everie paroch

IT is lykwyſe appoynted / that in the ſetting doun of the ſaid℄ roll℄ this yeares conſtant land rent ſalbe diſtinguiſched from the uther caſuall rent Wherby yeirly proffeit and commoditie aryſeth

AND for performeing and perfytting of the ſds roll℄ The ſaids commiſſioneres and otheres for-ſaid℄ ſhall appoynt ther ſeverall dyetts of meiting betuixt the firſt tueſday of october nixtocum ꝛ the 15 day of No' thairef℄ Which is appoyntit to be the laſt day perempto'lie for perfytting and delyvering of the ſd Roll℄

AND which roll℄ ſo perfytted and concludeit ſalbe ſub' by the ſaid℄ perſounes nominat and to be ellected as ſaid is or moſt pairt thairoff conveined for the tyme And which particular roll℄ of every particular pſone of every paroch ſalbe keipit in retentis within the ſaid ſhyre in ſome truſtie perſoune or perſounes hand℄ not to be made publict nor ſhowin except to the collectour of the ſaid paroch who moſt mak wſe thairoff in wplifting of the ſowmes due to be payed by the ſd pariſch wnles wpon occaſioun of queſtioun betuixt pairtie and pairty or betuixt the ſd collecto' and pairty And efter perfytting of the which roll℄ the ſd℄ commiſſioners ſhall draw wp aff the ſaid℄ particular roll℄ of pariſches a generall roll containing as many ſeverall articles as thair are ſeverall paroches or parcell℄ of paroches (if any be devydit within ſeverall ſhyres) Which articles ſhalbe ſett doun in maner following vĩz A·B· for himſelff and remanent heritoures lyferenteres and otheres within the paroch of D for thair propper rent of the ſaid paroch Extending to the ſowme of (victuall and other commodities being converted into money) Thair pairt of the ſaid loane Extend℄ to And ſo forth throuchout the reſt of the wholl paroches

IN the which roll thair moſt be ſett doun in cumulo the deductioũnes of miniſteres and ſchoolmaiſteres ſtipend℄ / (Iff any be) in ane article

ITEM in another article mortifyed and exeimed rent℄ if any be· And ſielyk in ſetting doun of the ſaid article for the wholl paroſch it muſt be diſtinguiſched what thairoff is conſtant land rent ꝛ q' is caſuall rent Which generall roll℄ / Containing only ane article for everie paroch within ilk ſhyre being ſo ſett doun and ſubſcryveit by the commiſſioneres or moſt pairt þ'off conveined for the tyme and containing the ſd℄ articles of deductioũnes / and exemptioũnes / and diſtinctioũnes in maner foirſaid ſhalbe delyvered by the ſaid℄ comiſſioneres or þair Clerk to the ſubcollectoures of the ſaid ſhyre appoynted or to be appoynted for that effect betuixt and the ſaid 15 [day] of November nixt to come and by the ſaid ſubcollectour to the Clerk of the ſaid collectioune / that the ſame may be a grund and warrand for raiſeing of letteres thairwpone againſt the ſd℄ collectoures of ſeverall paroſches or perſounes nominat in the ſaids generall roll℄ for every pariſch

AND if any of the ſaid℄ commiſſioneres heirby nominate and to be elected for ſetting doun of the ſaid roll ſhall refuiſe to accept or be negligent in doeing thair faithfull diligence therin It is heirfoir ſtatute and ordained that letteres ſhalbe direct to meſſ'℄ of airmes to command and charge every on of the foirſaid℄ perſounes to accept the ſaid commiſſioun within 24 houres efter they be chargeit and to doe thair exact diligence therin wntill the finall cloſe þ'off And to delyver the ſaid℄ roll℄ ſubſcryveit by them betuixt and the ſaid 15 day of November nixtocum Wnder the paine of Rebellioune ꝛ c' And if þej falye to denunce ꝛ eſcheat ꝛ c' And incaice the ſaids ſtent roll℄ ſhall not be ſet doun perfytted ſubſcryveit and delyverit betuixt and the ſaid 15 day of November nixtocome In that caice letteres ſhalbe direct againſt the ſaid℄ commiſſioneres nominat and to be elected to pay the wholl ſowmes of money to be lent by the ſd ſhyre Which commiſſioneres are ordained heirby to be the firſt payeres thairoff incaice they ſhall refuiſe or falye to ſett doun perfytt and delyver the ſd℄ roll℄ Betuixt and the ſaid 15 day of November

nixto come wnder the paine of rebellioun &c. And if they falye to denunce and eſcheit &c.

AND it is heirby declaired that in the caice foirſd of thair neglect as ſd is and of thair firſt payment of the ſume to be lent by the ſaid ſhyre In that caice and efter payment thairoff made by them They ſall have letteres of releiff againſt the wholl heritoures lyferenteres and otheres of the ſaid ſeffdome Conforme to the roll when it ſalbe made [up and] ſubſcryveit by them or moſt pairt of them as ſaid is

IT is heirby alſo declaired / that it ſalbe lawfull and leiſum to every perſoune or perſounes (excepting the commiſſioneres nominat and to be elected as ſaid is) intereſt in the ſumes to be lent by the ſd ſhyre who cannot conveniently come to the ſaids meitings to ſend thair procurato^r^ authorized by them in writ who ſhall have ſuch lyk power in doeing euerie thing as they micht doe themſelffis if they wer p̃ſilie p̃ſt

IT is heirby lykwayſe declaired that incaice any of the heritoures lyferenteres / titulares / takiſmen of teinds propper wodſetteres or otheres within the ſd ſhyre ſhall not convein at the day and dayes appoynted / or to be appoynted for that effect it ſhalbe leiſſume to the ſaid^r^ perſounes heirby nominate or moſt pairt of them conveined for the tyme to mak and ſett doun the ſaid^r^ rolles perfeit ſubſcryve and delyver the ſamen in maner foirſd And that the ſowmes of money ſo to be lent by the ſaid^r^ ſhyres may be wplifted and inbrocht

It is ſtatute and ordained that letteres ſhalbe directed for chargeing the wholl ſubcollectoures within ilk ſhyre or ſhyres to mak payment of the wholl ſowmes of money due to be payit by the ſaid^r^ ſhyres wheroff they are or ſhalbe appoynted ſubcollectoures Conforme to the ſaid roll ſubſcryveit by the ſaid lord Chancellar in p̃ſce of the ſaid conventioun at the ſaid terme of Candlemas nixt Wnder the paine of rebellioun &c.

AND for the ſaid^r^ ſubcollectoures ther releiff aff the ſaid ſhyres IT is ſtatute and ordained that lẽrs ſalbe directed chargeing the ſeverall collectoures of everie parochin within the ſaid ſhyre or ſhyres or perſounes nominat in the ſd^r^ particular roll^r^ for pay^t^ to the ſaid ſubcollectour / or his deputies / of the ſowmes contained in the ſaids rolls / And that within tuentie dayes nixt efter they be chargeit if they be within this Kingdome: And if they be without the ſame by oppen proclamatioun at the mercate croce of Ed^r^ peir and ſhoir of leith wpon threſcoir dayes wairneing Wnder the paine of rebellioun &c. And if they falye to denunce and eſcheit and to poynd and diſtreinzie &c. And for releiff of the ſaid collectour of every ſeverall parochin or perſounes nominat in the ſaid^r^ particular roll^r^ IT is heirby ſtatute and ordained that letteres ſhall be directed for payment making to them of the ſowmes contained in the ſaid particulare roll^r^ againſt every particular pſone or perſounes contained in the ſaid^r^ roll^r^ within eicht dayes efter they be chargeit if they be within this Kingdome And if they be without the ſame be oppen proclamatioun at þe mercate croce of Ed^r^ peir and ſhoir of leith wpon 60 dayes wairneing wnder the paine of rebellioun &c. With power to poynd and diſtreinzie thair readieſt good^r^ and geir þ^t^ ſhall be fund wpon the ground of any of thair ſaid^r^ land^r^ Who ſhall not tymeouſlie pay Whither the ſaid^r^ good^r^ pertein to theſe lyable in the ſaid loane or not Which good^r^ being ſo poynded it ſhall not be neceſſarie to carie them to the marcat croce of the heid burgh of the ſhyre But only to wſe the ordinarie way of poynding and appryſeing wpon the ground of the ſd^r^ landis Togidder with the ſowme of Tuentie merks for ilk hundreth m̃k^r^ failye

AND for inbringing of the burrowes pairt of the ſaid loane Ordaines letteres to be direct chargeing the proveſt and baillies of ilk burgh to mak payment of þair pt thairoff (conforme to ane roll to be ſub^t^ by the clerk of the burrowes or conforme to the old roll) to the ſaid collectour ge^n^ his deputies and officeres in his name haveing his power to receave the ſamyn at the ſaid terme above ſpẽit And if they falye To denunce and eſcheit &c.

AND for their releiff that leres be direct chargeing the provoſt baillies and counſell within each burgh to convein and elect certane perſounes to ſtent þair nichtbo^r^ And to conveine and ſet the ſamyn / and to mak a ſtent roll thairwpone as effeires Within tuentie four houres nixt efter the charge wnder the paine of rebellioune &c. And if they failzie to denunce and eſcheit &c.

AND ſiclyk the ſaid ſtent roll being made and ſet doun as ſaid is To charge the burgeſſ induellares and inhabitantes within each burgh to mak pay^t^ of thair pairt of the ſaid loane to the ſaid provoſt and baillies Conforme to the ſaid roll to be geven out þ^t^upon within thre dayes nixt eft^r^ the charge wnder the paine of rebellioun &c. And if they falye to denunce and eſcheit &c. And if neid beis that the ſaid proveſt and baillies poynd and diſtreinzie As they ſhall think expediẽt

IT is alwayes provydeit that no perſoune q^t^ſoever be ſtented within burgh for any lands or poſſeſſiounes which he haith to Landward

IT is heirby lykwayſe declaired that the charges to be geven for payment of the ſaid loane may be execute alſweill againſt theſe that are without the cuntrey as theſe that are within the cuntrey befoir the ſaid ẽme of payment but that the executioun of

denunciaᵒne and poynding ſhall not be execute wntill the ſaid ꝑme of payment be bygone / and the ſeuerall dayes of the charges rex̃tive foirſd be alſo bypaſt

AND inreſpect that the foirſaidꝭ wholl ſumes of money ſo to be lent be the ſaidꝭ ſhyres / and burrowes is for releiff of the greate ſowmes of money alreadie taken on as ſd is / and to be advanced for ſupplie of the ſaid airmie in Ireland / which ſhould be repayed by the parliament of Ingland out of the firſt end of the arreares due to that airmie

THAIRFOIR the ſaids eſtaites have not only ratified and approven the foirſaid act of counſell with concurſe of the ſaids commiſſioneres for conſerveing the peace and commiſſioneres of the common burdings / But alſo have of new ſtatute / and ordained Lykas they be thir pñts ſtatute and ordaine that alſweill theſe who have alreadie advanced money or victuall or who have ingadged themſelffes for payment of the pryces of victuall / money / and uther proviſioune by warrand of the ſaidꝭ lordꝭ of councell alone / or by warrant of them ioyntly with the ſaidꝭ commiſſioneres of peace and common burdings But alſo the wholl foirſaidꝭ ſowmes (wheroff the ſaidꝭ former advancements are a pairt) Are heirby ordained to be repayed out of the firſt and readieſt of the ſaidꝭ arreares / Conforme to the tenour and wpon the conditiounes mentioned in the ſaid act of counſell with concurſe foirſaid.

AND incaice the ſamyn ſhall not be repayed by the parliãt of Ingland betuixt and the ſaid ſecond day of februare nixt to come It is heirby ſtatute and ordained Lykas the ſaids eſtaites by thir pñts ſtatutes and ordaines that the wholl foirſaidꝭ perſounes who have by warrand foirſaid advanced money victuall or uther proviſioun to the ſaid airmie preceiding the dait heiroff conforme to the particular compt þairoff reg̃rat in the bookꝭ of conventioun of the dait heiroff ſhalbe repayed ilk man of his ſeverall ſowmes / Togidder with the intereſt þ'off Conforme to the tenour of the foirſaid acts and that out of the firſt and readieſt of the ſowmes of money to be wplifted by vertew of this pñt act And that by the collectour ſubcollectour and utheres haveing warrand and power to reſave the ſamyn betuixt and the laſt day of february nixtocome

SO that it ſhall not be leiſſum to the ſaidꝭ collectoures or utheres to diſpoſe upon any of the ſaidꝭ moneyes ſo to be lent without the conſent of theſe who have lent the ſaid money or victuall wntill they be firſt ſatiſfied

AND incaice the ſaid parliament of Ingland ſhall not happin to pay and delyver the ſaidꝭ bygone arreares at leiſt ſo much thairoff as ſhall repay the ſaidꝭ ſowmes to be lent as ſaid is Betuixt and the firſt day of Junij nixt [to come] in the yeare of God 1644 yeares

AND ſeing it is agreid and condiſcended wnto that the burden be equally according to every mans eſtait / In that caice it is declaired that when the wholl valuatiounes of the wholl kingdome ſhalbe knowen in maner and conforme to the rollꝭ above ſpẽit

THAIRFOIR it is appoynted and ordained that a ſurvey ſhalbe made of the wholl foirſaidꝭ rollꝭ and compaired one with another to the effect it may be ſein and knowen if any ſhyre or ſhyres have payit more out of the hundreth merkis (victuall and uther commodities being turned into money) then uther ſhyres have / and being ſo fund that ſome may be appoynted befoir this pñt convention diſſolve / or by the nixt parliament or by committies from ather of them / to ſie the iuſt proportioun / Which according to thair foirſaidꝭ rents would fall wpon every ſhyre that theſe who have payed more then thair iuſt proportion may have repayment aff the ſhyres who have payit leſſe to be collected and inbrocht by ſuch perſounes as this pñt conventioun / the eſtaits of parliament / or committies from ather ſhall appoynt

AND becaus the foirſaidꝭ wholl ſowmes of money alſweill to burgh as landward extendis to a greate ſume of money and wilbe conſiderable burthein wpon this Kingdome and that the ſame is wholly payed out of the land rentis / trade / burrow landis / and other land rent and yeirly commoditie without conſideratioun or laying any burding upon money [upon] bank or ãrent: Thairfoir it is ſtatute and ordained Lykas the ſaidꝭ eſtaites ſtatutes and ordaines that everie debtour of money wpon ãrent alſweill to burgh as landward ſhall have retention of the ſaid terme of candlemes nixt / of ſex of each hundreth merkes or pundꝭ q'in he is lyable of ãrent to his creditoures at the ſaid terme / provydeing that the remanent of the ſaid ãnuell rent out of the which the ſd debtour ſhall crave retentioun / ſhalbe thankfullie payed at the leiſt within thre monethes efter the ſaid terme off payment of the ãrent / otherwayes no retentioun to be allowed.

AND ſiclyk it is heirby declaired that this pñt act nor no clauſe therin ſhalbe any ground of ſuſpenſioun to any debtour for retentioun of the ſaid principall ſumes addebtit by him and byrun ãrents But that everie creditour may ſute crave and charge for the ſame efter the day of payment thairoff

AND it is heirby declaired that if any perſoune or pſones within or without burgh ſhall wpon thair oath declaire to thair magiſtrattes within burgh and commiſſioneres of the ſhyres without burgh / that they pay ãrent to ſtrangeres duelling without this kingdome of whom they cannot have retentioun foirſaid In that caice the ſaidꝭ magiſtrattes within burgh / and commiſſioneres without burgh ſhall defaulk proportionally to the ſaidꝭ perſone or

perſounes / ſuch a pairt of thair loane as they ſhall find agreiable to equitie & reaſone And ſiclyk / inreſpect that the foirſaides ſumes of money ſo to be lent / are in hope of payment thairoff / from the parliament of Ingland

IT is heirby declaired / that the wholl creditoures within this kingdome / alſweill to burgh and landward who ſhall grant retentioun to thair debitoures in maner foirſaid / ſhall have thair proportionall payment with the reſt of the cuntrey and that either from his debitoures / if it pleaſe the creditor to truſt him thairwith / or wtherwayſe to tak affignatioune from the debitour wpon the parliament of Ingland as a pairt of the ſame / due to the debitour for his releiff

AND becauſe the enemies to religioun and peace of this Kingdome are daylie making deviſiounes and waiting all occaſiounes / wherby they may draw to factiones / make inſurrectiounes / and ſtirre up otheres to the diſſobedience of the lawes / and common reſolutioune for the goode of religioune / his mãties honour and ſaiffitie and the weill of this Kingdome.

THAIRFOIR and for the reaſounes contained in the act of the ſaidꝭ eſtaits made anent the levïe of ſome horſe and foote for preveening any ſuch diviſiounes / diſtracnes / inſurrecnes / factiounes and diſſobedience to the ſdꝭ cõmon reſolutiounes

THE ſaidꝭ eſtaites have voluntarly grantit ſtatute and ordained Lykas they be thir pñts voluntarly grants ſtatutes and ordaines / ane taxt of 120000 lib ſcottis money to be uplifted for the interteinment of the ſaids men horſe and foote to be levied as ſaid is / in maner and for the uſe conteined in the ſaid act Which ſowme of 120000 lib ſcottis money foirſaid ſhalbe payed to the ſaid generall collectour his deputies and officeres and wtheres haveing power and warrand from him at the ſaid terme of candlemes nixt viz one fixt pairt thairoff extending to the ſowme of 20000 pund by the borrowes of this kingdome and the remnent thairoff extending to 100000 lib by the ſeverall ſhyres of this kingdome Conforme to a particular roll thairoff ſubſcryveit by the ſaid lord chancellour in preſence of the ſaid conventioun of eſtaits

FOR inbringing and ingathering qꝭoff / the ſame maner of way ſalbe followed / and the ſame kynd of letteres direct / the lyk diligence wſeit and receaved / as for the foirſaid ſowmes of money heirby lent for the ſupplie of the airmie in Ireland conforme to the preceiding tenour of this pñt act

AND it is ſtatute and ordained that no ſuſpenſioun ſalbe grantit to any perſounes whatſoever without confignatioun of the ſumes chargeit for in the clerk of the ſaid conventioun his hand / wnles the reaſounes ꝑoff can be inſtantly vereſied or made notour at the paſſing of the ſaid bill either in preſentia in the tyme of ſeſſion or by four or fyve of the lordꝭ of ſeſſioun in tyme of vacance / To the which ſuſpenſiounes the ſaidꝭ lordꝭ of ſeſſioun ſalbe only iudges in ſuch forme and maner as they are and have bein in materes of taxatioun

IT is heirby ſtatute and ordained that ꝑe generall collectour ſall tak ſufficient and reſponſall cautioune from every ſubcollectour to doe his exact diligence in every thing committed to his charge alſweill in bringing in of money as [in] all other diligence / conforme to the bandꝭ to be made by ꝑm and ꝑr caũrꝭ ꝑanent

IT is lykwyſe ſtatute and ordained that the collectorꝭ of every pariſch ſhall aither be a ſufficient and reſponſall man himſelff / or otherwayes ſhall give ſufficient cautioun for his intromiſſioun and diligence The which diligence to be done as weill by the ſaidꝭ ſubcollectoures as by the ſaidꝭ collectoures or paroches reẽtive is heirby wnderſtoode to be all ordinary execution of horning reẽgrat in due tyme and poynding wntill they be ſtopped by deforcement are to be received for diligence allenerly

LYKAS it is heirby ſtatute and ordained that the ſaid collectour generall ſhall reſave the ſaidꝭ diligence of reẽgrat hornings in due tyme and executiounes of deforcement from the ſaids ſubcollectoures and collectoures reẽtive Provyding the ſame be delyverit to the ſaid collectour generall befoir the 15 day of merch nixt to come Otherwyſe no diligence to be received But they to be lyable for payment in ſolidum

IT is lykwayes ordained that the ſubcollectoures of everie parochin ſhall not be obleidgeit to carie the money received by ꝑm farther then thair awin paroch And at fartheſt to the heid burt of the ſhyre / and the ſubcollectour ſhalbe obleidgeit to receave the ſamyn and mak payment ꝑoff to the generall collectour as is above ſpecefied

AND becaus theſe who takes paines in the ſaidꝭ collecnes / as weill the ſaid ſubcollectoures / collectoures of paroches / clerkes in the ſhyres / clerk of the ſaid collectioun and wtheres to be imployed in the ſaid ſervice / will deſerve to have certane fies and allowance granted to them

IT is thairfoir ſtatute and ordained that ane roll be made thairoff ather by the ſaidꝭ eſtaits or by ſome to be appoynted from them Which rollꝭ being ſo made and ſett doun / The ſame ſall be reẽgrat in the bookꝭ of conventioun and extracts geven furth thairoff To the effect every man may know his awin due

IT is heirby declaired that no exemptioune ſalbe granted to any perſoune or perſounes whatſoever / except only the lands rentis / ãrents and wther due-

ties mortified to colledges Schollᵉ hoſpitallᵉ And for wpholding of kirkᵉ and brigges / and the lord chancellour and fyftein ordinarie lordᵉ of the ſeſſioun allenerly

IT is alwayes declaired that this p̃nt maner of ingathering of the ſaid loane and taxatioune ſhall nowayes prejudge any perſoune whatſomever in ſucceiding taxatiounes But that every mans richt and clame / and all the preiudice that may aryſe anent the ſamyn or maner þairoff / wherby any man may inſtruct enorme leſion / and that he was wnequally ſtented / Is heirby ſpe̅ally reſerveit hinc inde

THE particular Roll of the ſeverall quantities and ſowmes of money to be lent by ilk ſhyre for the ſupplie of the airmie in Ireland extending in the haill (to be lent be the ſaidᵉ ſhyres) to the ſowme of Ellevin hundreth thowſand m̃kᵉ Conforme to the act of conventioun of eſtaitᵉ Of the dait of thir p̃nts And qlk Roll / (be þe ſaid act) is appoynted to be ſubᵗ be the lord chantr in p̃ce of the ſd conventioun To remaine in record in the ſaidᵉ bookᵉ of conventioun and in the bookᵉ of collec̃ne of the ſd conventioun and extractis geven furth þoff be þe clerk of the ſd collectione for a ground and warrand of making wp the rollᵉ of ilk ſhyre

Orkney	Nyne thowſand ſex hundreth threſcoir fyftein lib	09675
Inuernes	Threttie thre thowſand nyn hundth threſcoir pundᵉ	33960
Caitnes	Seven thowſand ſeven hundreth four punds	07704
Cromertie	Seven hundreth fourſcoir four punds	00784
Sutherland	Thre thowſand four hundreth fourtie tua lib	03442
Nairne	Tua thowſand fyve hundreth tuentie ſex punds	02526
Elgein	Fyftein thowſand four hundreth punds	15400
Aberdein	Fyftie thre thouſand ſex hundth threttie tua punds	53632
Bamff	Eleven thowſand ſex hundreth and fourtie punds	11640
Kincarden	Tuelff thowſand ſeven hundreth fiftie eicht pundᵉ	12758
Forfar	Fourtie thowſand ſeven hundth fiftie ſex punds	40756
Perth	Threſcoir fyve thowſand ane hundth threſcoir eicht lib	65168
Fyffe	Fiftie four thowſand ane hundreth ſextein punds	54116
Stirling	Tuentie thouſand ſex hundreth fiftie pundis	20650
Kinroſs	Ane thowſand ane hundreth fiftie 6 punds	01156
Clakmanan	Four thowſand tua hundreth fourtie ſex punds	04246
Edr	Threttie thre thouſand nyn hundth threſcoir aucht lib	33968
Linlithgow	Fourtein thuſand tua hundreth Eicht punds	14208
Hadingtoun	Tuentie ſeven thouſand fyve hundth threſcoir eichtein lib	27578
Berwick	Tuentie eicht thuſand nyne hundreth fourſcoir lib	28980
Roxburr	fourtie ſeven thuſand threſcoir punds	47060
Selkirk	Ten thouſand thre hundth fourſcoir tuelff pũdᵉ	10392
Peibles	Threttein thuſand four hundth threſcoir eicht lib	13468
Lanerk	fourtie thre thuſand eicht hundth threſcoir lib	43860
Air	fourtie nyne thuſand four hundreth fourſcoir pundᵉ	49480
Wigtoun	with the Stewartrie of Kirkcubricht Threttie fyve thuſand fyve hundreth fourſcoir punds	35580
Dumfreis wth	Anandaill Threttie ſex thuſand tua hundth tuentie eicht punds	36228
Renfrew	Seventein thuſand nyn hundreth threſcoir ſex punds	17966
Dumbarten	Ten thuſand fourtein pund	10014
Argylle	Tuentie thre thuſand ſeven hundreth 36 pund	23736
Bute	Thre thuſand ſeven hundreth tuentie four pund	03724

THE particular Roll of the ſeverall quantities and ſumes of money appoynted to be payit be ilk ſhyre within this Kingdome for interteinment of the men in airmes horſe and foote levyed for the wſe conteinit in the act of conventioun of eſtaites Extending to the ſowme of ane hundreth thouſand pundᵉ ſcottis money To be payit be the ſaidᵉ ſhyres And qlk roll is appoynted to be ſubſcryveit be the lord Chancelloᵗ in p̃ce of the ſaid conventione To remaine in record in the bookᵉ of conventioun and bookᵉ of [collec̃ne] of the ſaid taxt And extractis geven furth þairoff Be the clerk of the ſaid collectioun for a grund and warrand for making wp the rollᵉ for payment of þe ſamyn be ilk ſhyre.

Orkney	Ane thuſand thre hundreth tuentie eicht pund	1328
Inuernes	four thuſand eicht hundreth fyftie ane pund	4851
Caitnes	Ane thuſand ane hundreth pundis	1100
Cromertie	Ane hundred Tuelf pund	0112
Sutherland	four hundreth fourſcoir eleven pund	0491
Nairne	Thre hundreth Threſcoir punds	0360

Elgin	Tua thuſand Tua hundreth punds	2200
Aberdein	Seven thuſand ſex hundth threſcoir ane pūd	7661
Bamff	Ane thuſand ſex hundreth threſcoir tua pund^{ℓ}	1662
Kincardin	Ane thuſand eicht hundreth tuentie tua pund	1822
Forfar	fyve thuſand eicht hundreth tuentie tua pund	5822
Perth	Nyne thuſand thre hundreth nyne pundis	9309
Fyffe	Seven thuſand ſeven hundreth threttie pund	7730
Stirling	Tua thuſand nyne hundreth fiftie pund	2950
Kinroſs	Ane hundreth threſcoir fyve pund	0165
Clackmanan	Sex hundreth ſex punds	0606
Edinburgh	four thuſand eicht hundreth fiftie tua pund	4852
Linlithgow	Tua thuſand tuentie nyne pund	2029
Hadingtoun	Thre thuſand nyne hundreth threttie nyn pund^{ℓ}	3939
Berwick	four thuſand ane hundreth fourtie pundis	4140
Roxburgh	Sex thuſand ſeven hundreth tuentie ſex pund	6726
Selkirk	Ane thuſand four hundth four ſcoir four punds	1484
Peibles	Ane thuſand nyn hundth tuentie four pund	1924
Lanerk	Sex thuſand tua hundreth threſcoir fyve pund	6265
Air	Seven thuſand threſcoir eicht pund	7068
Wigtoun	with the ſhirreffdome of Kirkubricht fyve thuſand fourſcoir Tua pund	5082
Dumfreis	[w^{t}] Anandaill fyve thuſand ane hundth threſcoir fyftein pund	5175
Renfrew	Tua thuſand fyve hundreth threſcoir ſex pund	2566
Dumbarten	Ane thuſand four hundreth threttie pund	1430
Argyll	Thre thuſand thre hundth fourſcoir ten pund	3390
Bute	ffyve hundreth Threttie tua pund	0532

Allowances to Collectors & Clerks

ALLOWANCE grantit by the conventioun to Collectoures clerk^{ℓ} ſubcollectoures and wtheres for thair ſervice in the ingathering of the 1200000 merk^{ℓ} of loane and 120000 pund of taxatioun

THE Clerk of the committie of the ſhyre half a merk of each hundreth m̄k^{ℓ} wch is chargeit wpon the wholl ſhyre

To the ſubcollectour of each ſhyre on and ane halff of each hundreth charged upon the ſhyre / To the ſubcollecto^{r} $ℓ$ of Orkney and Caithnes and ather of them inreſpect of þ^{r} diſtance and multitude of Iles fyve hundreth m̄k^{ℓ} over and above thair on and ane halff chargeit wpon the ſhyres

And to the ſubcollectour of Argyll and Bute joyntly 500 m̄k^{ℓ} over and above thair on and ane halff to be charged on the ſhyre

To the collectour of every paroch Tuo of each hundreth chargeit wpon the paroch

To the Clerks of the collectioun the clerk of the ſecreit counſell for thair paines and charges on of every hundreth of the wholl to be devydeit as the generall collectour and they ſhall agrie

To the Collectour generall Ten thuſand merkes

ED^{R} 15 August 1643

The Cōmittee for the Loan exonered

THE eſtaits haveing red and conſiderit the particular Roll above written of the ſowmes layed wpon everie ſhyre To be advanced be way of loane / Doe approve thairoff And find^{ℓ} that the committie hes faithfully diſchargeit the truſt committed to them And exoneres and fries them of the oath geven by them for that effect

ED^{R} 15 August 1643

Humbie adjoyned to the Cōmittee

THE Conventioun of eſtaits Being informed of the pūt ſeiknes of Sr Thomas Hope of Kerſe on of the commiſſioneres appoyntit to meit wth the ingliſch commiſſio^{r} $ℓ$ / Have appoyntit Sr Adame Hepburne of Humbie to ſupplie his abſence

ED^{R} 15 Auguſt 1643

THE QLK DAY the Earle of Lindſay and wtheres commiſſioneres appoyntit to meit with the Ingliſch cōmiſſioneres preſentit and exhibite Tuo paperes delyvered to them by the ingliſch cōmiſſio^{r} $ℓ$ Wheroff the tenour followes

Augt 12 1643

The desyre of the English Cōmiſs^{rs}

WEE the commiſſioneres appointed by both houſſes of the parliam^{ē}t of Ingland are by our inſtruc^{o}nes commanded to put þ^{r} brethrein of Scotland in mynd that þe popiſch and prelaticall factioun which began with them about thir yeares 1638 and 1639 And then intrudeit to mak way to the ruine of the Kingdome of Ingland by theres / have not abated any þte of thair malice toward the nation and church of Scotland / nor are at all depairted from thair deſigne of corrupting and altering religion throuch the wholl Illand / thouch they have inverted the maner of thair procedings Conceiving now that they

have ane eaſyer way to deſtroy them if they may firſt prevaill over the parliament and Kingdome of Ingland

IN which reſpect it is the deſyre of both houſſes that the tuo nations may be ſtrictly wnited and joynd togidder for thair mutuall defence againſt the papiſts and prelaticall factioun / and there adherentes in both Kingdomes / and not to lay doun airmes till theſe thair implacable enemies ſhalbe diſarmed and ſubiected to the authoritie and iuſtice of parliament in both kingdomes reẍtively And as ane effectuall meane heirwnto They deſyre ther breithrein of Scotland To raiſe a conſiderable ſtrenth of horſe and foote for thair ayde and aſſiſtance to be forthwith ſent againſt the papiſts prelaticall factioune and otheres thair adherentes now in armes in the kingdome of Ingland

AND for the better incouragement of the Kingdome of Scotland wnto this neceſſary and ſo much deſyred wnione and coniunctioun / We are by both houſſes authorized to aſſure thair breithrein that if they ſhalbe annoyd or indangered by any force or airmy ather from Ingland or any wther place The lordſ and commons of Ingland will aſſiſt them with a proportionable force and ſtrenth of horſe and foote to what thair breithrein ſhall now afford them To be ſent into Scotland for the defence of that kingdome from the invaſioun of the iriſch rebellſ or other enemies dureing ſuch tyme as the ſcottiſch airmie ſalbe imployed in the defence of the Kingdome of Ingland

AND to the end that nothing ſhould be wanting in þe pliãt and kingdome of Ingland to facilitate this work wherin the true reformed religioun not only in theſe tuo Kingdomes but thruchout all Europe is ſo heichly concerned We are further authorized to conſider with thair breithrein the eſtaits and kingdome of Scotland of what wther articles or propoſitiounes are fitt to be addit & concludeit Wherby this aſſiſtance and wnione betuixt the tuo natiounes may be made more beneficall and effectuall for the ſecuritie of religioun and libertie in both kingdomes

ALL which being takin into the ſerious and chriſtian conſideratioun of the richt honõ^ll the lordſ and utheres of the conventioun of the eſtaits of Scotland / Wee hope thair will not neid any arguments or motives to perſwade and exceite them to give thair conſent And that with all convenient ſpeid / to the deſyres of both houſſes of the parliament of Ingland · Seing they have now fully declaired / as by what þej have done alreadie / ſo by what they are yet deſyreous to doe That the true eſtait of this cauſe and quarrell is religioun / In the reformatioun wheroff they are and have bein ſo forward / and zealous / as that there is not any thing expreſſed to them by thair breithrein of Scotland by thair former or letter declaratiounes / which they have not ſeriouſly takin to heart and earneſtly endevoured to effect (notwithſtanding the ſubtill malicious / and induſtrious oppoſitiounes) that ſo the tuo kingdomes micht be broucht into a neir coniunc^ne into one forme of church government and directory of worſhip or catechiſme &c^ And the fundatioun layed of the utter extirpatioun of poperie and prelacie out of both / The moſt readie and effectuall meanes wherwnto is neir conceaved to be That both natiounes ſould enter into a ſtrict wnione and league for thair mutuall defence according to what is alreadie expreſſed in the deſyres of both houſſes

AND to induce the perſuaſione of this (if there wer cauſe) we micht obſerve that in the many declaratiounes made by the Generall aſſemblie or eſtaites of Scotland ſince the begining of theſe commotiounes in this Illand to thair breithrein in Ingland ther have bein findrie expreſſiounes manifeſting the greate neceſſity that both Kingdomes for the ſecuritie of thair religioun and libertie ſhould ioyne in this ſtrict wnion againſt the papiſtes prelattes and thair adherentes / and in the endevoures of ane wniformitie betuixt the churches of both Kingdomes / The apprehenſioun and foreſicht of which hath cauſet the popiſch and prelaticall factioun in forrane parts as weill as in theſe his ma^ dominiones ſtrictly and powerfully to combyne themſelffes to the hindrance of this ſo neceſſarie work and the wniverſall ſuppreſſioun of the proteſtant religioune in Europe / A courſe not much different from that which they tooke in the yeare 1585 when the wiſdome and zeale of this natioun to countermyne ſo wiked a conſpiracie / and from the due ſenſe of the mutuall intereſt of theſe tuo kingdomes in religion and liberty / fund a neceſſitie of entering into a league of this nature alſweill conſidering that thairby no leſſe ſaiftie micht be expected to both natiounes then danger by forbearing the ſamyn

AND thoch we doubt not in ſo neceſſary a good work many difficulties may aryſe to diſappoynt or at leaſt retard the ſame till the diſeaſe become deſperate / Yet wee are als confident that the hearty and brotherly affec^ne of this natioun to þe parliament and kingdome of Ingland will eaſily breake thruch them And the rather becauſe in the lyk caices of difficulty and danger as not only at the tyme of the league above mentioned / but not long befoir / and lykewyſe ſince / when any opportunity hath offered it ſelff / particularly during the ſitting of this pñt parliament / the kingdome of Ingland haithe bene verie readie and willing to lay to heart the dangeres of the Kingdome of Scotland as thair awine and to deduce no meanes in the reach of thair power for redreſſe or preventioun of the ſamen

August 12 · 1643 · WEE the Cōmiſſioneres appoynted by both houſes of the parliament of Ingland / are by o^r inſtructiounes commanded to repreſent to thair breithrein of Scotland the greate miſeries and calamities broucht wpon that church and kingdome of ingland by the ffactioun of papiſts and prelattes / Wherby they are diſabled for the pñt to mak payment of thoſe greate debts owing to this kingdome for the remander of the brotherly aſſiſtance and for the arreare of the airmie in Ireland / Notwithſtanding of which we are commanded to tak caire for the ſtateing and ſatling all debt^ℓ accompts and demand^ℓ betuixt the tuo natiounes of Ingland and Scotland and when the ſamyn ſhalbe reduced to certainty we are to treate and compound for the tyme and maner of ſatiſfac^one for the ſaid debts And firſt tutcheing the remander of the brotherly aſſiſtance Inaſmuch as the warre wpon the ſubjects and people of Scotland / begun and proſecuted in the yeares 1639 1640 and 1641 was procured by the factioun of papiſts prelattes and thair adherentes which occaſioned the comeing in of thair breithrein into that Kingdome and of the ingadgement thairwpon made for thair ſatiſfactioun We are commanded to ſignifye that both houſes of parliament doe thairwpon think it moſt iuſt and reaſonable that ſufficient land^ℓ of papiſts / prelattes and ſuch wther malignantes as have adhered wnto them / bee by the direc^one and appoyntment of both houſes ſet furth / out of which recompence ſhalbe made / for the forbearance of that money wntill ſueh tyme as ſatiſfactioun be geven for the diſcharge of all the ſaid debt with the intereſt due wpon the ſamen And as for the arreares due wnto the ſcottiſch airmie in Ireland / We are to deſyre that ſince it is impoſſible for the ſtate of ingland by reaſoune of the manifold trubles and burdings which lye wpon it / to mak pñt payment They would therfoir think of ſome wther way how ſatiſfac^one to thair content may be made ather out of the confiſcat land^ℓ In Ireland by way of adventure according to the raites and proportions at which they are to be delyverit to ꝑe Ingliſch adventureres Or ell^ℓ by eſtalment at four equall payments within two yeares efter peace ſhalbe ſetled in Ingland / Or in proviſion of victuall and apperell to be delyvered at reaſonable raites within this kingdome or els q^r or in any wther way within the power of the tuo houſſes It being thair earneſt deſyre to give thair breithrein full contentment ꝑin ſo far as God ſhall inable them therwnto In perſuance wheroff we are authorized to treate and conclude for the diſcharge of both the aforementioned debts and ſuch further payments as ſall growe due wntill ſatiſfac^one be made in any of the wayes befoir ſpēit And incaice thair breithrein ſhall not approve of any of theſe wayes / we are then to receave any ſuch further or any other propoſitiounes concerning the ſamyne as in thair wiſdomes ſhalbe thocht fitteſt We are alſo to mak knowen to thair brethrein of Scotland that by reaſoun of theſe wnexpected trubles in Ingland that natioun is in lykemaner altogidder diſinabled to countinue the charge of the airmie in Ireland / Leaſt thairfoir it ſould become too greate a burthen to this natioun by the diſabilitie of payment from Ingland Wee are to deſyre that the ſaid airmie may be diſmiſſed from that ſervice in ſome ſhort tyme Only ſuch gariſouns to be keipit on foote as thair breithrein ſhall think fitt to retaine for the guard of Carictfergus and Coleraine according to the treatie in that behalff made

Ed^r 15 August 1643

THE conventioun of eſtaites Gives heirby cōmiſſioun to the cōmittee formerly appoynted to meit with the ingliſch commiſſio^ℓ by act of the 9 of this inſtant To joyne with the cōmittie appoyntit by the gen^ell aſſemblie in conſidering of the particulares contained in the paperes exhibite by the ingliſch comiſſioneres And to acquaint the aſſembly with ſuch paperes as they have receaveit from the ſd^ℓ commiſſio^ℓ

EDINBURGH 16 Augt 1643

Act anent the Anuitie

FORSAMEIKLE as our Soverane Lord the Kings Mātie with advyſe and conſent of the lord^ℓ commiſſioneres of his māties theſaurie and exchecquer be his māties leſe wnder the greate and privie ſealles of the dait at York the Sevent of may 1642 yeares Gave and granted full power and commiſſioun to his māties richt truſtie cuſing and counſellour Johne Earle of Loudoun Lord Mauchlane and Terreingeane lord hich chancellar of this Kingdome Indureing all the dayes of his lyftyme To ſell ānailgie and diſpone with conſent and aſſent of any tua of his māties exchecquer to and in favoures of q^tſumever his māties ſubjects heritoures or lyfrenteres of lands thair aires and aſſ^nyes all and haill the ānuitie of teind^ℓ due to his mātie and his ſucceſſoures furth of thair lands and teinds for ꝑe payment of ten yeares purcheſſe with the byrunes of the ſaid annuitie reſtand awand wnpayit be them deduceing alwayes to them ane thrid pairt of the ſd byrunes reſtand wnpayit Whilk his mātie of his gratious favour hes remitted to the buyeres of the ſd^ℓ ānuities And with ſuch farther deduc^one as the ſaid Earle of Loudoun ſhall think fit and expedient with conſent of any tuo of his māties exchequ^r to grant to the ſaid^ℓ buyeres in maner / and wpon the proviſiounes contained in the ſaid leſe of Cōmiſſioun Lykeas his mātie be the ſaid leſe of comiſſioun paſt wnder the greate and privie ſealles of the dait foirſaid hes geven and granted

full power to þe ſaid Jo^{n} Earle of loudoun his aires and aſſignayes to wplift and receave the ſaid ānuitie of teind^{s} of all yeares and termes bygaine and yeirly in tyme cuming for the ſpace of nyntein yeares And farther ay and whill the ſaid Earle his intromiſſioun with the ſaid ānuitie of teind^{s} or with the pryces of the ſaid ānuitie to be ſauld to his ma^{r} ſubjects mak wp and extend to the ſowme of Tuentie thuſand pund ſterling and intereſt thairoff Whilk his mātie is reſtand to his familiare ſervitour James levingſtoun keiper of his ma^{r} privie purſe To whom the ſaid Earle is bund be expres warrand and proviſioun of the ſaid cōmiſſioun to pay the ſamyn As in the ſaid leṽe of commiſſioun of the dait foirſaid at mair lenth is contained Lykeas the lord^{s} of excheq^{r} be thair act of the dait at Ed^{r} the 27 of Junii 1643 Ordained letteres of publica^{c}ne at þe mercate croce of Ed^{r} and wtheres letteres conforme to the acts of commiſſioun / excheq^{r} Conventioun and acts of parliament made þ^{r}anent As the ſaid act in it ſelff at mair lenth proports And the ſd^{s} eſtaits of this p̃ſt conventioun haveing maturely conſidered the ſaid commiſſioun Togidder with the ordour preſcryveit be the ſaid^{s} lord^{s} of excheq^{r} for ſelling of the ſaid^{s} ānuitie of teinds Or wplifting of the ſamyn And thairwith alſo that the ſaid Johne Earle of loudoun lord chaneeller hes contented and ſatiſfied the ſaid James Levingſtoun the ſaid ſowme of Tuentie thuſand pund ſterling and intereſt theroff due to him And hes purcheſſed and acquyred fra the ſaid James Levingſtoun his richt of the ſaid ſowme of Tuentie thuſand pund ſterling and intereſt theroff due to him furth of the ſd^{s} ānuities of teind^{s} or pryces þ^{r}off Wherby the ſaid Earle of loudoun his aires and aſſigneyes hes good and wndoubtit richt be the lawes of this Kingdome In and to the ſaid ānuitie of teind^{s} and pryces thairoff ay and whill they be fullie payit and ſatiffied of the ſaid ſowme of Tuentie thuſand pund ſterling and yeirly intereſt thairoff of all yeares bygane and to come Thairfoir the ſaid^{s} eſtait^{s} hes of certane knowledge ratified and approven Lykas be thir p̃ſts They ratifie and approve the ſaid Letter of commiſſioun with the ſaid act of exchequer made for ſelling the ſaid^{s} ānuities of teind^{s} Or for wplifting of the ſamyn Togither with the leṽe of gift grantit be his mātie to the ſaid James levingſtoun his aires and aſſignayes of the ſaid annuitie of Teind^{s} With the richts and diſpoſitiounes of the ſamyn made be the ſaid James to the ſaid Earle of Loudoun and his foirſaids in the haill heides and articles thairoff And ordanes letteres of publicatioun of thir p̃ſts at the mercate croce of Ed^{r} and wtheres places neidfull

Ed^{r} 16 August 1643

Mr Robert Meldrum reported the Parliam^{ts} ansuer to his instructions

THE QLK DAY Mr Robert Meldrum produceit and exhibite beſoir the conventioun of eſtaits Ane anſ^{r} from the houſſes of the parliament of Ingland To the inſtruc^{c}nes committed wnto him by the ſaid^{s} eſtaits Wherof the tenour followes

WEE the lord^{s} and commons in parliament Haveing conſidderit of the propoſitiounes p̃ſted to ws by Mr Ro^{t} Meldrum according to certane inſtructiounes geven to him by the conventioun of the eſtaites of the kingdome of Scotland Daittit the 17 of July 1643 doe thairin diſcerne many experiences of thair brotherly affectioune to this kingdome and natioun and chriſtiane compaſſioun of the greate calamiteis and want^{s} which at this tyme lye wpon ws for which we return them heartie thank^{s}

AND becaus we find our ſelffes by theſe trubles not only diſabled to ſupport the neceſſarie charges of the warre againſt the rebellioun of the papiſts in Ireland to diſcharge the arreares and growing pay due to the ſcottiſch airmie there and other expenſſes incident therwnto But even deprived of ſufficient and competent meanes to defend o^{r} ſelffis in the warre raiſed againſt ws be the papiſts prelaticall factioun and wther malignants of this kingdome

WE have takin it into our ſerious conſideratioun how we micht give o^{r} breithrein of that nation moſt ſpeidie and effectuall ſatiſfac^{c}ne / And doe deſyre that hon^{ble} aſſemblie of the eſtaits of the Kingdome of Scotland to tak notice that beſoir the arrivall of Mr Meldrum we had appoyntit Jo^{n} Earle of Rutland W^{m} lord Grey of Wark Sr Williame Armine Barronett S^{r} henry Vain knicht Thomas Hatcher and Henry darly Esqr committies and commiſſioneres of both houſſes of parliament to the eſtaites and Kingdome of Scotland [ ] which are alreadie in ther way thither and have inabled theſe cōmittie and commiſſioneres or any three of them with ample inſtructiounes in o^{r} name To treate agrie and conclude all queſtiounes doubts and demands concerneing the remander of the brotherly aſſiſtance / the arreares and future pay of þ^{t} airmie / the continuance or removell of the ſamen and wther mater^{s} mentioned in thair propoſitiounes received from Mr Meldrum

AS for the wther particulares we ſhall earneſtly indevour ſo far as our publict preſſing neceſſities will give ws leive to mak ſpeidie payment to Sr Williame Dick of the remander of the brotherly aſſiſtance due in June 1642 · to Mr Thomas Cuninghame and his factoures the money due for the airmes he haith ſent into Scotland that alex^{r} finlone

and Archibald hammiltoun may be payit the money due to them by a contract made with Walter ſcott the cõmiſſary for the victuall in Ireland for which he was ingadged as o^r ſervant and as he may iuſtly thairwpon clame the priveledge of parliament So we acknowledge that we ſtand bund both in iuſtice and honour to pay that debt The lyk caire ſhall wee have of giveing iuſt ſatiſfac^one to Jo^n Dernie James Ker and James Sanderſoun wpon thair ſeverall demand^ſ / entreiting our breithrein to beleive that it is to ws moſt wnpleaſeing that any particular perſone of that nation ſhould wndergoe any loſſe much more ther ruine and wndoeing by reaſon of our trubles and neceſſities wth as we ſhall earneſtly by all meanes ſeik to prevent / ſoe if that cannot be done we hope God will in his good tyme give ws meanes to recompence

WE have further directed and inabled thoſe comiſſio^nſ to treate and conclude wpon ſindrie uther propoſi^cnes and requeiſtes to be pũted from ws to the ſtates and kingdome of Scotland concerneing the delyverance of this Kingdome from the pũt dangeres and calamities and ſecureing the Kingdome of Scotland from the lyk both being the obiectes of the crueltie and malice of the ſame enemies To which deſires of oures we doubt not but o^r breithrein will give ſuch a ſpeidie and ſatiſfactorie reſolutioun / as may conduce moſt effectually to the ſaiftie and peace of both / and to the proſperitie and advance^t of the cauſe q^rin God himſelff is ſo cleirly intereſſed for the defence of Chryſts treuth and the proffeſſion of it

Ed^r 16 August 1643

Approbation to M Robert Meldrũ

THE estait^ſ finds and declaires that m^r Robert Meldrũ hes caried himſelff faithfully and diligently in the commiſſione and inſtruc^nes wherwith he was intruſted from them to the houſſes of the parliament of Ingland And exoneres him theroff for ever

Ed^r 17 August 1643

The Lord Humbie General collector

THE Eſtaites of this Kingdome pũtly conveined haveing takin to thair conſideratione that by thair act daittit the 15 of this inſtant for the reaſounes and cauſſes at lenth therin conteined They have ſtatute and ordained the ſume of tuelff hundreth thuſand m̃k^ſ ſcottis money Togidder with the ſowme of ane hundreth thuſand m̃k^ſ money foirſd as allowance for charges of collecting of the ſame to collectoures Clerkes and uther neceſſer memberes and officeres To be imployed therin and for the exemptiounes mentionatt in the ſaid act To be wpliftit and raiſed be way of loane out of the ſeverall ſchiredomes and burghes of this kingdome in forme and maner and at the termes at lenth mentionatt in the foirſaid act of conventioun And q̃lk ſowme it is by the foirſaid act appoyntit to be imployed for releiff and payment of the greate ſowmes and wther proviſioun already advanceit and wndertakin and to be advanceit and wndertakin for the interteinment and ſupplie of the ſcottiſch airmie now in Ireland in maner alſo ſpẽit in the ſaid act Lykas be the ſame act the ſaid^ſ eſtaites have grantit ſtatute and ordained ane taxt of ane hundreth and tuentie thuſand pund ſcottis to be wpliftit furth of the ſaid^ſ ſeverall ſhyres and burghes of the kingdome in maner alſo ſpẽid in the ſaid act for interteinment of the horſe troupes and foote companies ordained and appoyntit be þe ſaid conventioun of eſtaites To be pũtly levied for preventing of any diviſiounes factiounes and inſurrectiounes q̃lk may occaſioun or aryſe to the diſturbance of the peace of the kingdome As the foirſaid act of conventione in the ſelff mair fully proports And ſeing it is neceſſer that þ^r be ane geñell collectour appoyntit and nominat be the ſaid^ſ eſtat^ſ for collecting and reſaveing of the foirſaid loane & taxt reẍtively And the ſaid^ſ eſtait^ſ haveing goode proofe and experience of the truſt and fidelitie of Sr Adame Hepburne of Humbie Kny^t ane of the ſenatoures of the colledge of Juſtice and of his ability for diſchargeing of the ſaid place Thairfoir the ſd^ſ eſtait^ſ of this kingdome now pũtly conveined Have nominat and appoyntit and be thir pũts nominats and appoynts the ſd Sr Adame hepburne to be geñll collectour of the foirſd ſoume and loane of Tuelff hundreth thuſand m̃k^ſ And ane hundreth thuſand m̃k^ſ allowit for expenſ^ſ and exemptiounes as ſaid is And ſiclyk nominates and appoynts the ſaid Sr Adame To be geñell collecto^r of the foirſaid taxt of ane hundreth and tuentie thuſand pund ſcottis to be raiſed and wpliftit in maner and for the wſe abovementionat With power to the ſaid Sr Adame be him ſelff his deputs wnder receiveres ſubcollectoures and wtheres in his name To creave exact receive intromett with and wplift the foirſaid^ſ ſumes appoyntit and ordained to be raiſed be way of loane and taxt reẍtive furth of every ſhyre burgh parochin and land^ſ within this kingdome and fra the ſeverall cõmiſſio^nſ and collecto^nſ for ſhyres and ſubcollecto^nſ for parochines and fra all utheres lyable and addebtit in pay^t of the ſamȳ or of ather of them reẍtive Conforme to the teno^r of the foirſd act of conventione And to raiſe and direct lẽres & all maner of execution neceſſer and requiſite for collecting and payment þ^roff in his awin name or in the names of his deputs & ſubcollecto^nſ for ſhyres and paroches reẍtive and utheres to be intruſtit with the collecting and wpgathering þ^roff And to caus put the foirſd lẽre to dew executione conforme to the teno^r of the ſd act of conventioun And with power to the ſd S^r adame and his deputtes wnder receaveres ſubcollectoures and wtheres officeres to be conſtitute and ſubſtitute for þ^t effect To give and ſubſcryve acquittances and

diſcharges wpon the recept of the ſaid loane and taxt reſtively to the perſones payeres of the ſamen Whilk ſhalbe valeid and ſufficient to the receaveres thairoff And geñellie With power to þe ſaid Sr Adame Hepburne / be himſelff and his deputs and wnder receaveres collectoures and wther officeres to be appoyntit To doe wſe and exerſe everie thing neceſſer and expedient anent the premiſſ Siclyk and als freily in all reſpect^e as any wtheres collectoures geñell of any preceding taxatioun thair deputs ſubcollecto^re wnder receaveres and wther officeres have done at any tyme heirtofoir With power alſo to the ſaid Sr Adame Hepburne to nominat and appoynt the ſaid^e deputtes and wnder receaveres wnder him for whom he ſhall be anſrable for receiving of the ſaid loane & taxt reſtive from the ſeverall comiſſioneres and ſubcollecto^re for ſhyres and paroches and wtheres intromettoures thairwith and addebtit in payment þ^r off As alſo to nominat and appoynt ſubcollecto^re for þe haill ſhyres of the kingdome q^r þe ſamyn are not already nõiat be the ſaid act of conventioune for receiveing collecting and inbringing of the ſamyn And ſiclyk with power to the ſd Sr Adame Hepburne to nominat and appoynt Clerkes to the foirſaid loane and taxt and to authorize them with all priveledges dew and apperteining to the ſaid office or qlk hes bein dew to the Clerkis of any preceiding taxation heirtofoir Lykas the ſaids eſtaits gives and grantis to the ſaid collectour geñell and his deputtes ſubcollectoures and wnder receaveres and to the Clerkes to be appoyntit be him and þ^r deputtes the fies and allowances parſ^ly mentionat in ane liſt and roll of the ſamen ſet doun and appoyntit be the ſaid^e eſtaites and regrat in the book^e of the ſaid conventione It is heirby provyddit and ordainit that þe ſd S^r adame and his deputtes ſalbe comptable to the ſaid^e eſtaites of this kingdome or to the cõmitties to be appoyntit be them and haveing thair power and warrand for that effect for compt and reckoning of thair intromiſſione with the foirſaid loane and taxt reſtive and ſhalbe obleiſt to depurſe pay and give out the ſaid^e ſowmes for the wſes foirſaid^e according to the foirſaid act of convention and as he and his ſaid^e deputtes ſhall receive warrand and ordour fra the ſd^e eſtaites or cõmitties to be appoyntit be them for that effect Whoſe ordoures and warrand^e þ^r anent the ſaid collectour geñell and his deputtes are heirby warranted to anſ^r and obay Lykas the ſd^e eſtaites heirby requyres and commands all commiſſioneres and collectoures for ſhyres and thair Clerkes and wthers ſubcollectoures and perſounes lyable in compt and payment of the foirſaid loane and taxt reſtive That they and every one of them according to thair ſeverall charge and imployments readily ſett doun perfyt and report the ſtent roll^e of the ſaid collectioun and taxt within the ſeverall bound^e cõmittit to them and mak tymeous payment thairoff And that they and all wtheres within this kingdome give readie obedience to all lẽres and ex̃ell^e to be direct in name and at the inſtance of the ſaid collectour geñell his deputtes ſubcollectoures or wnder receaveres for that effect conforme to the foirſaid act of conventioune ffor all q^lk^e lẽrs and ordoures to be direct for that effect the foirſaid act of conventioune with thir pñts ſalbe ane ſufficient warrand And this preſent commiſſioun the ſaid^e eſtaites appoyntes and ordaines to continew and indure ay and whill the foirſaid loane and taxt reſtive and ather of them be fully and compleitly wpliftit and payit And the accompts of the ſamyn perfytted and cleired

Ed^r 17 Auguſt 1643

Covenant to be betuix the two Kingdomes

THE QLK DAY The Earle of Lindſay produceit and exhibite Befoir the conventioun of eſtaites ane covenant agreit wpon betuixt the cõmitties of the conventioun of eſtaites and of the geñell aſſembly and the comiſſioneres of both the houſſes of the parliament of Ingland As the reſult of thair conſultationes Concerneing the deſyres of both houſſes of the parliãt of Ingland for a neir and ſtrict wnion to be entered into by the tuo Kingdomes Off the qlk covenant the tenour followes

WE Noblemen / Barrones / Knichts / Gentlemen / Citizenes / burgeſſ / miniſteres of the Goſpell / and comones of all ſorttes of the Kingdomes of Ingland and Scotland by the providence of God liveing in on Illand wnder on King and of on true proteſtant reformed religione / haveing befoir our eyes the glory of God and the advancemẽt of the kingdome of o^r lord and ſaviour Jeſus Chryſt the honour and happines of the Kings mãtie and his poſteritie and the true publict libertie ſaffetie and peace of the Kingdomes q^in every ones privat condition is includeit And calling to mynd the treatcherous and bloodie plot^e conſpiracies attemptes and practiſes of the enemies of God againſt the true religione and profeſſoures þ^r off in all places eſpẽally in this jlland ever ſince the reforma^cne of religione and how much thair rage power and preſump^cne are of lait and at this tyme increaſſed and exerceiſed Wheroff the deplorable eſtate of the church and Kingdome of Ireland / the diſtreſſit eſtait of the church and Kingdome of Ingland and the dangerous eſtaite of the church and Kingdome of Scotland are pñt and publict teſtimonies We have now at laſt (eſt^e the wther meanes of ſupplication remonſtrance proteſta^cne and ſufferings) for the preſervatione of o^r ſelffes and our religione from wtter rwine and deſtruc^cne according to the commendable practiſe of theſe kingdomes in former tymes and the exemple of God^e people in other nationes efter mature deliberatione reſolved and determined to enter into a mutuall and ſolemne league and covenant Wherin we ſubſcryve and with o^r hand^e liftit wp to the moſt hich God Doe ſweir

1. THAT we ſall all and each on of ws ſincerelie really and conſtantly thruch the grace of God endevour in o^r ſeuerall callings and places the preſervation of the true proteſtant reformed religion in the church of Scotland in doctrine worſhip diſcipline and governement according to the word of God and the reformation of religione in the church of Ingland / according to the ſame holy word and the example of the beſt reformed churches and as may bring the churches of God in both nationes to the neareſt coniunction and wniformitie in religione confeſſion of faith forme of church governement directorie for worſchip and catechefing That we and our poſteritie efter ws may as breithrein leive in faith and love

2. THAT we ſhall in lyk maner without reſpect of perſounes indevour the extirpation of poperie prelacie ſuperſtitione hereſie ſhiſme and profainnes and q^tſoever ſalbe fund to be contrairie to ſound doctrine and the power of Godlines in both nationes leaſt we partak in other menes ſinnes and thairby be in danger to receive of thair plagues and that the lord may be one and his name one in both kingdomes

3. WE ſhall with the ſame ſinceritie realitie and conſtancie in our ſeverall vocatiounes endevour with o^r eſtaites and lyffes to preſerve the richts and priveledges of parliaments and the liberties of the kingdomes reſpectively and to preſerve and defend the Kings mātie his perſone and auctie in the preſervatione and defence of the true religione and liberties of the kingdomes That the world may beir witneſſe with our conſciencies of our loayelteis and that we have no thocht nor intentiounes to diminiſch his māties iuſt power and greatnes

4. WE ſhall alſo with all faithfulnes endevour the diſcoverie of all ſuch as have bein or ſhalbe incendiaries malignantes or evell inſtrumentes to hinder the reformatione of religioune Or to devyde the King from his people or the on Kingdome from the wther that they may be brought to pub^t tryell and receave condigne puniſh^t as the degre of thair offence ſhall requyre or deſerve or the ſupreame iudicatories of both kingdomes reſpectively or wtheres haveing power from them ſhall iudge convenient

5. THAT we ſhall all and each of ws according to o^r place and intereſt inviolablie obſerve the articles of the late treattie of peace betuixt the tuo natiounes and ſhall by all good meanes indevour that iuſtice be done without partialitie (in maner foirſaid) wpon the oppoſeres of it To the end that this bliſſed peace may be perpetuall to all poſteritie

6. THAT we ſhall alſo to the utmoſt of our abilitie in this common cauſe of religion libertie and peace of the kingdomes aſſiſt and defend all theſe that enter into this league and covenant in the mantaining and preſerving thairoff and ſhall not ſuffer our ſelffes directly or indirectlie by q^tſumever combination perſuaſion or terrour To be devydit and withdrawin from this bliſſed wnion and conjunc^one whither to mak defection to the contrair partie or to geve o^r ſelffes into a deteſtable indifference or newtralitie in the cauſe of God good of the Kingdomes and honour of the King But ſhall all the dayes of our lyffes zealouſly and conſtantly continew thairin againſt all oppoſition and promote the ſamen according to o^r power againſt all lettes and impedimēt^t q^tſumever And q^t we are not able o^r ſelffes to ſuppreſſe and overcome We ſhall reveill and mak knowen That it may be timelie prevented and removed All which wee ſall doe as in the ficht of God And becaus both Nationes are guiltie of many ſinnes and provocatiounes againſt God and his ſone Jeſus Chryſt as is manifeſt by o^r preſent diſtreſſes and dangeres The fruits thairoff We profeſſe and declair befoir God and the world our wnfained deſyre to be humbled for our awin ſines and the ſines of both natiounes Eſpēally that we have not as we oucht valued the ineſtimable benefit of the goſpell / That we have no^t laboured for the puritie and power thairoff That we have not endevoured to receive Chryſt in our heartes Which are the cauſſes of other tranſgreſſiounes ſo much abounding amongſt ws / and our true and wnfained purpoſe deſyre and indevour for our ſelffes and all other wnder our power and charge both in publict and private in all dueties we owe to God and man to amend our lyffes and each on to goe befoir other in the example of a reall reformatione That the lord may turne away his wraith and heavie indignatione and eſtabliſch both the natiounes in treuth and peace And this covenant wee mak in p̃ce of the Almichty God the ſearcher of all heartes with a true intentione to performe the ſame as we ſhall anſ^r at that great day when the ſecreits of all heartes ſhalbe diſcloſed Moſt humblie beſeitching the lord to ſtrengthen ws by his holy ſpirite for this end and to bliſſe our deſyres and proceidings with ſuch ſucceſſe as may be delyverance and ſaiftie to his people and incuragement to other chriſtian churches groaning wnder or in danger of the yock of antichriſtiane tyrranie To joyne in the ſamen or lyk aſſociatione and covenant to the glory of God the inlairgement of the Kingdome of Jeſus Chryſt and the peace and tranquilletie of Chriſtiane ſtates and commonwealth.

THE Committies of the conventioun of eſtaites of Scotland and of the generall aſſemblie Being appoyntit to meit with the cōmiſſio^r^ of the tuo houſſes of the parliament of Ingland wpon the paperes delyverit in be the ſaid^ cōmiſſio^r^ wnto the conventione of eſtat^ and wnto the geñell aſſemblie wpon the of this inſtant 1643 Concerneing the deſyres of both houſſes for a neire and ſtrict

wnion to be entered into by the tuo Kingdomes And it being declaireit of the ſaid meitings with q^t^ ſenſible affectiounes the generall aſſemblie and conventione did receive the deſyres above mentionat and how beneficiall it wold be for the more firme ſatlement of the ſaid wnion that a covenant ſould be entered into by both nationes And this forme thairoff being by all the foirſd^e^ perſounes takine to moſt ſerious debate and conſideration and agreid wnto It was thairwpon reſolved by them That it ſhould be preſentit to the generall aſſemblie / to the conventione of the eſtaites of Scotland And to the tuo houſſes of the parliament of Ingland By thair reſpective committies and commiſſio^n^e That it micht with all ſpeid receive thair reſpective reſolu^n^es

Ed^r^ 17 Auguſt 1643

The Eſtats approbation of the Covenant

WE Noblemen Comiſſioneres of Shyres and burrowes now conveined Haveing received the covenant abovewrin from thare committie as the reſult of thair conſultationes with a cōmittie of the generall aſſemblie: and the cōmiſſioneres from both houſſes of the parliament of Ingland And haveing takin that covenant into thair greateſt conſideratione / Did with all thair heartes and greate expreſſiones of joy and wnanimitie approve and imbrace the ſamene as the moſt powerfull meane by the bliſſing of God for ſetling and preſerveing the true proteſtant religion with a perfytte peace in all his māties dominiounes and propogatting the ſamen to other nationes / and for eſtableiſching his māties throane to all aiges And being very confident that thair breithreine in the kingdome of Ingland will heartily receave and approve the ſamen Thairfoir according to the earneſt recōmenda^n^e of that venerable aſſemblie of this kirk now mett Thinks it moſt neceſſarie for the good end^e^ foirſaid^e^ That it be ſent into that Kingdome with all diligence That being receaved and approved by thair breithrein there The ſamen may be with all religious ſolemnities ſworne and ſub^t^ by all true profeſſo^r^e of the reformed religione and all his māties good ſubiectes in both Kingdomes

EDINBURGH 18° Auguſt 1643

Proclamation to all men to be in reddines

FORSAMEIKLE as the Eſtaites of this Kingdome p̄ntly conveined Taking into thair moſt ſerious conſideration the greate and imminent danger of the trew proteſtant reformed religion and of the peace of the Kingdome from the treatcherous and bloodie plottes conſpiraces attemptes and practiſes of papiſtes prelattes malignantes and thair adherend^e^ Have efter mature deliberatione thoucht expedient to enter into a ſolemne and mutuall covenant with the Kingdome of Ingland for the defence of the true proteſtant reformed religione in the Kirk of Scotland and the reformatione of Religioune in the kirk of Ingland according to the word of God the exemple of the beſt reformed Kirk^e^ and as may bring the kirk of God in both Kingdomes to the neareſt conjunc^n^e and wniformitie in Religione and Kirk governement And ſiclyk to preſerve and defend the richtes and priveledges of Parliament and liberties of the Kingdomes reẍtive / and to preſerve and defend the Kings māties perſoune and auctie in the preſervatione of the ſaid true religione and liberties of the ſaid^e^ Kingdomes And to preſerve the articles of the late traittie and peace betuixt the tuo natiounes And to aſſiſt and defend all that enter into this covenant in the mantaining and perſewing thairoff as the ſame more fully proportes Which as it wilbe a comfort and encouragement to all Chriſtianes who feare God and love religione / to all good and loyall ſubiectes who trewlie honour the King and to all true patriottes who tender the libertie of thair cuntrey ſo doubtles it will exaſperate and inrage the ſaid^e^ papiſts prelates malignantes and thair adherentes to practiſe and execute all the miſcheiff and crueltie they can againſt this church and Kingdome As they have done in Ingland and Ireland for preventing wheroff the ſaid^e^ eſtaites According to the practiſe of the counſall conventioun of eſtaites and acts of parliament in former tymes of exigence Hes reſolved to put this Kingdome with all poſſible ſpeid in a preſent poſture of defence And for the better ſecuretie and ſaiftie þairoff Hes ſtatute and ordained Lykas by thir p̄nt^e^ they ſtatute and ordaine That īmediatly efter the publicatione heiroff all the ſenſible perſounes within this Kingdome betuixt 60 and ſextein of q^t^ſumever qualitie rank or degrie ſall provyde themſelffis with 40 dayes proviſioune with āmunitione airmes and other warlyk proviſione of all ſort in the moſt ſubſtantious maner for horſe and footte with tentes and all wther furniſching requiſite And that the horſemen be airmed with piſtoll^e^ bread ſword^e^ and ſteill capes and q^r^ thir airmes cannot be had That þej provyde jackes or ſecreites lances and ſteill bonnettes and ſword^e^ And that the footemen be airmed with muſquet and ſword or pik and ſword And q^r^ theſe cannot be had that they be furniſched with halbert lochwaber axes or Jedburgh ſtaffes and ſword^e^ And thairfoir Ordaines letteres to be direct Chargeing herauld^e^ purſeventes meſſ^r^e of airmes To pas to þe mercate croce of Ed^r^ and þe ſeuerall burrow and paroch kirk^e^ of this Kingdome And þ^r^ by oppen proclamatione To mak publicatione of this p̄nt act and ordinance Wherthrow nane p̄nd ignorance of the ſamen And to command and charge all and ſindrie his māties ſubiects being ſenſible perſounes betuixt 60 and 16 To provyde themſelffes in maner foirſd And to be in readines to mak thair randivous thus armed at the places to be appoynted by the ſaid^e^ eſtaites or cōmitties haveing power from them within 48 ho^r^e efter they ſalbe lawfully wairned by

ordour from þ^m to that effect As they will teſtifie thair affectione to the true proteſtant religione the liberties of the Kingdome his mãties honour and the peace and ſaiſtie of this thair native cuntrey wnder the paines to be eſteimed and puniſched as enemies to Religione the King and Cuntrey / And thair haill goodꝭ to be confiſcat to the uſe off the publict

Warrand for borrowing 40000 lib

FORSAMEIKLE as it is neceſſer that pñt moneyes be had for outreiking the three troup of horſe and fyve companies of foote that are to be pñtly raiſed / and that the ſowmes appoyntit for mantaining of theſe forces are not payable till candlemes nixt Thairfoir the eſtaites recommendes to the generall collectour to borrow wpone private ſuretie or wtherwayes and for paymẽt of ãrent fra the borrowing the ſowme of fourtie thuſand pund ſcottis for that effect And qlk is to be payit out of the firſt of the ſumes to be lifted in this Kingdome And ſalyeing thairoff the eſtaites declaires That the ſame ſall remane as a publict debt wpon the Kingdome

Ed^r 18 August 1643

Act against the earle of Carnewath

FORSAMEIKLE as Robert Earle of Carnewath is ordourly denunceit rebell and put to the horne for not payment making to Johne Joſſie in name of the eſtaites of this Kingdome of the ſowme of Ten thuſand pund as a fyn impoſed wpon him for his not entering his perſoune in waird Conforme to the charge geven to him for that effect At the proces of qlk horning he yet remaines wnrelaxit Takand no regaird thairoff Bot hes the haill benefeit of his land and rentes As if nather law nor iuſtice wer able to overtak him In hich and proud contempt of his mãties auc̃tie ffor remeid q^roff The eſtaites hes heirby ordainit and ordaines That the firſt trupes of horſe or foote ſouldieres that ſhalbe levyed within this Kingdome doe repair furthwooth eſt the firſt randivous to the ſaid Earle his duelling houſſes and lands Tak poſſeſſione thairoff Intromet with the maill and dueties of the ſamen tak thair awin interteinment thairoff being imployit for the uſe of the publict ay and whill he mak payment of the ſaid fyne And the eſtaites declaires that q^tſoever ſowmes of money or victuall ſall be tane from or payed be the tennentes or utheres duelling on the landꝭ to and for the wſe of the ſaidꝭ ſouldieres That the ſamyn is heirby allowed in pairt of payment of the ſaid Earle his rent And doeth frie the tenents and utheres foirſdꝭ of the ſamyn and all farder payment þ^roff And it is further declaired that q^tſoever ſalbe tane wp be this way is without prejudice of the payment of the Ten thuſand pund foirſaid

Ed^r 17 August 1643

THE QLK DAY The Earle of lindſay pñtit and exhibite wnto the eſtaites ane demand from the cõmiſſio^rꝭ of both houſſes of the parliament of Ingland Wheroff the tenour followes

A desyre of the English Commissioners And the answer of the Estates

WEE the commiſſioneres from the tuo houſſes of the parliament of Ingland haveing on the 12° of this inſtant Augt delyvered in to the honõll convention of eſtaits a paper expreſſing the deſyres of the parliament of Ingland for aſſiſtance from thair breithrein of Scotland for thair ſecuritie of religion and libertie againſt the popiſch and prelaticall pairtie with thair adherentes now in airmes in the Kingdome of Ingland and wnderſtanding the preſſing neceſſities of that Kingdome Deſyre that wee may receave ane anſ^r thairwnto from this honorable convention with all poſſible and convenient ſpeid

THE Eſtaites declaires That befoir they tak into þair conſideratione the paper geven in to them this day from the Ingliſch commiſſioneres They deſyre to know the particular demands that are to be geven in þairwpon And recommendꝭ to the cõmittie To call for them

Ed^r 18 Augt 1643

Act in favors of John Forrest

ANENT the ſupplication pñtit to the convention of Eſtaites be Johne forreſt bowmaker burges of Ed^r Makand mention That q^r by ordour from the cõmittie appoyntit for outreiking ſhippes for ſecureing of the coaſt He hes made 15 diſſone of halff pickes for the wſe of the ſdꝭ ſhippes and he hes alſo 1000 pikꝭ qlkꝭ by warrand he alſo made for the wſe of the pub^t And all are lying on his hand to his greate preiudice And q^ras he is but a meane ſervant and hes bein verie ſteidable to the cuntrey the tyme of the trubles Humblie therfoir deſyreing that ordo^r may be geven for takeing of thir pikꝭ off his hand ^t ready paymẽt þ^roff Lykas at mair lenth is ꝯteinit in þe ſd ſupplica^one Whilk being red and conſiderit be the ſdꝭ eſtaits and they finding the deſyre thairoff to be reaſonable The eſtaites Ordaines the ſupplicants pikꝭ and halff pikꝭ abovewr̃in to be tane aff his handꝭ and put in the pub^t magazine be the geñell of the artailliarie And recommendꝭ to the cõmiſſioneres for the cõmon burthenes To ſie him tymouſlie payit for the ſamen As ſalbe agreit by the generall of the Artailliarie

EDINBURGH 15 Augt 1643

Act in favors of the Laird of Greenok

ANENT the ſupplicatione pñtit to the convention of the Eſtaites by Johne Schaw of Grinock Makand mention wheras there is ane lon of aucht hundreth

thouſand pund and ane taxatioun of ane hundreth and Tuentie thouſand pund grantit in this pũt convention to be wpliftit out of the ſeverall ſhyres and burrowes within this kingdome Conforme to thair ſeverall proportiounes þ'off And inreſpect his mãties wmq^{ll} deareſt father of worthie memorie be his leſe patent grantit to wmq^{ll} Johne Schaw of Grenock the ſupplicants grandfather his aires and ſucceſſoures and þ^{r} tẽnent^{is} wnder the privie ſeall of the dait 16 day of November 1589 and ratified in parlt the fyfte day of Junij 1592 Exeimit the ſaid ſupplicant his wmq^{ll} father and thair tennents of the land^{is} of grenock finnerett and ſpango fra all payment of any impoſitiounes taxationes ſtents or ſubſidies ordinar or extraordinar within this Kingdome in all tyme thaireft for q^{t}ſumever cauſe or occaſion And that for incuragement and recompence to the ſupplicant his ſaid wmq^{ll} grandfather and his foirſd^{is} for the bigging of the kirk of Grenock and erecting the ſamyn in ane ſeverall paroch kirk and parochin on his awin propper charges and expenſſes bigging of ane manſe to the miniſter and deſigning of ane yeard thairto of his awin propper heritage As the ſaid leſe patent ratified as ſaid is mair fullie proportes And ſua in equitie the ſupplicant aucht to be declairit frie of this pũt loane and taxa^{c}ne Humblie thairfoir deſyreing the ſaid^{is} lord^{is} to declair him to be frie and exeimit thairoff Whilk being done the ſupplicant is content out of the ſenſe of his intereſt in the common cauſe both for religion and ſuppreſſing of the rebellion in Ireland to contribute his beſt aſſiſtance in advanceing in lending als much (if not moir) to ſuch as are in pũt action for ſuppreſſing the ſaid rebellion as his proportion of the ſd lone or taxatioun will amount wnto And ſall inſtruct the ſamen to the collectour generall betuixt and the tyme of pay^{t} of the ſd loane utherwayes It ſall plead no ĩmunitie But preiudice alwayes of his exemtion in tyme cumeing Lykas at mair lenth is conteinit in the ſaid ſupplicatione Whilk being red hard and conſiderit be the ſaid^{is} eſtaites And they being thairwith and with the inſtruc^{c}nes of the ſaid petitione and the ſupplicantes volunter offer weill advyſeit The ſaid^{is} eſtaites exeimes him now as off befoir from paying any pairt of the ſaid loane and taxatione abovewrin And recõmend^{is} him to the genẽll collectour for þ^{t} effect

EDINBURGH 22 Augt 1643

Cõmiſsion & Capitulation for the Horse troups

ARTICLES of Capitulatione and agriement [betuixt] the convention of the eſtaites of the Kingdome and Sr Johne Broun of fordell Knicht Thomas Craig of Riccartoun and Williame Stewart

INPRIMIS the ſaid^{is} eſtaites have nominat and appoynttit the ſaid Sr Johne Broun to be Maior of thre troupes of horſe to be levied and to be rutem^{r} of on of the ſaid^{is} troupes And the ſaid^{is} Thomas Craig of Riccartoun and Williame Stewart to be rootem^{r}s of the wther tuo troupes With power to them to appoynt thair wnder officeres of thair awin troupes themſelffes for whom they ſalbe anſrable and to levy and wplift the truperes þ'off to the number of 60 trouperes in each troup beſyde the officeres and the ſd^{is} eſtaites appoynts and ordaines the pay of the ſaid major rutem^{r}s thair under officeres and trouperes to be as followes vĩz The ſaid Sr Johne Broun his awin pay to be monethlie 200 lib as major and rootem^{r} and the pay of the ſd^{is} Thomas Craig and Williame Stuart to be each of them monethly 150 lib The pay of the livetene^{t} of each troup to be 67 lib 10 ß monethlie The cornettes pay of each troup to be 54 lib monethlie the quartermaſter^{is} pay of each troup to be 45 lib monethlie / The troũpetteres pay of each troup to be 30 lib monethlie The pay of tuo corporall^{is} for each troup to be for each corporall 36 lib monethlie And becaus the frequent watching the ſd^{is} troupes wilbe put to requyre more corporall^{is} The eſtaites hes allowit to on [of] everie troupe whom the capitane ſhall nominat the ſowme of 9 lib more monethlie then his ordinarie pay to mak wp the pay of a corporall and they to ſupplie the place of a third corporall in each troupe The ſmith of each troup his pay to be 27 lib monethlie and the pay of everie trouper of the ſd^{is} 60 trouperes in each troup 27 lib monethlie And the ſd^{is} eſtaites ordaines the ſaid major and tuo rutemaiſteres to have pũtlie payit to each of them at the delyverie of this thair commiſſione 40 ß ſterling for every on of thair truperes foirſd^{is} in contenta^{c}ne of thair levy money and furniture of horſe and airmes and the ſd maior and rutem^{r} to have a monethes pay advancet at þe tyme of thair inrolmẽt qlk^{is} troupes officeres and trouperes thairoff ſalbe payit at the rate and proportion abovewrin dureing ther imployment and ſervice qlk ſalbe at leiſt for fyve monethes eft thair randivous eft ſpẽit And ſeft ay and whill they be diſchargeit by the ſd^{is} eſtaites or any haveing power from them And on the wther pairt the ſaid Sr Jo^{n} Broun and the lord Balcarreſſe cautioner for him and the ſd Thomas Craig of Rickartoun & Sr Archibald Jo^{n}ſtoun of Warieſtoun as caũ^{r} for him and the ſaid Williame Stewart and the marqueſſe of Argyll as caũ^{r} for him doe heirby bind and obleidge them with all diligence wnder the paine of 5000 mk^{is} To levie and wplift thair troupes conſiſting of the officeres and trouperes foirſaid^{is} ſufficiently provydit with able horſe and men with airmes and furniture fitting for ſervice vĩz with piſtoll^{is} of ane lairge boare ſteill capes and braid ſwordes and all wther furnitour neceſſer for trouperes to be outreigged wpon thair awin charges And the wholl troup to be levyed compleit betuixt and the 13 of Sepr nixt at qlk tyme they ſall mak þair randivous wpon the link^{is} of leith befoir ſuch perſoune or perſounes as the convention ſhall appoynt At qlk randivous The

eſtaites hes allowit to the ſd^ rutem^r^ for everie trouper that they ſhall muſter provydit in maner foirſaid the ſowme of tuentie ſhilling ſterling over and above the ſowme of 40 ſ allowed for levy money and all uther charges qlk ſowme of Tuentie ſhilling ſterling for every trouper the ſd^ rutem^r^ and pair caũ^rs^ are obleidgeit to pay to the ſaid^ eſtaites or ſuch as ſhalbe appoyntit be them at the diſmiſſion of the ſaid^ troupes And ficlyk at the foirſaid randivous there ſalbe payit to the ſaids truperes a monethes pay by advancement And the ſaid^ rutem^r^ and thair caũrs are obleidgeit wnder the paine foirſaid to obay all ſuch ordoures and directiones as they ſhall from tyme to tyme receave from the ſaid convention or any haveing power and warrand from them And that they ſall keip good ordour and diſcipline when they lye in thair quarteres and be wpon ſervice or wther imployment And ſhall behave them ſelffes in all expeditiounes as reſolute and faithfull ſouldieres

EDINBURGH 24 August 1643

Act anent the desyre of the English Cõmiſs^rs^

THE Eſtaitis Ordaines thair cõmittie to debeate with the ingliſch cõmiſſioneres in the particulares as have bein recommendit to them Concerneing the paper geven wpone the 19 of this moneth befoir they tak the ſame into pair conſidera^o^ne Of the qlk paper of the ſaid 19 of Augt the tenor followes

ACCORDING to what was ſignified wnto ws by yor Lordſhipes and the reſt of this honõll cõmittie from the convention of Eſtaites / in anſ^r^ to o^r^ paper of the 17 of this inſtant / That we ſould pñt the particulares concerneing the ayde and aſſiſtance deſyreit by both houſſ of thair breithrein of Scotland befoir the conventione of eſtaites could tak the ſamyne wnto thair conſidera^o^une Wee the cõmiſſioneres appoyntit by both houſſes of the parliament of Ingland are by o^r^ inſtruc^o^nes commanded to let thair breithrein of Scotland know that the number of forces which they deſyre ſould be foorthwith raiſed for thair aid and aſſiſtance by thair brethrein of Scotland to be ſent into Ingland againſt the papiſts prelaticall faction and thair adherentes now in airmes in that Kingdome / is Ten thuſand foote at the leaſt and ane thuſand horſe / at the leaſt or greater numberes of either or both as ſhalbe agreit wnto with a ſuitable traine of artailliarie Theſe forces to be commanded by ſuch a generall as ſalbe appoyntit by the eſtaites of Scotland according to the ordour and direc^o^ne of both the houſſes of the parliament of Ingland And to be payit by both houſſes according to the eſtableiſchment alreadie agreid wpon for the ſcottiſch airmie in Ireland ffor which purpoſe They reſolve to aſſign and ſet forth ſufficient revenewes of papiſts prelattes malignantes and other delinquentes And for the charge in raiſeing and airmeing theſe men We are to aſſure thair breithrein of Scotland that they will give them ſatiffac^o^ne with all poſſible ſpeid

AND that the mutuall intereſt and dangeres of both Kingdomes may be defendeit and preſerved by both / We are further cõmanded to aſſure thair breithrein that if they ſhalbe annoyed or indangered by any force or airmie / either from Ingland or any other place / The lord^s^ and commons of Ingland will aſſiſt them with 10000 foote at the leaſt and 1000 horſe at the leaſt or greater numberes of aither or both as ſhalbe agreid wpon with a ſuitable traine of artailliarie To be ſent into Scotland according to the ordour and direc^o^nes of the Eſtaites of Scotland And that they will mantaine a guard of ſhippes at thair awin charge wpon the coaſt of Scotland againſt the Iriſch rebell^s^ or other enemies dureing ſuch tyme as the ſcottiſch airmie ſalbe imployed in the defence of the Kingdome of Ingland And we are lykwyſe authorized on the behalffe of the lordes and commones of Ingland To contract and agrie with the eſtaites of the Kingdome of Scotland That no pacifica^o^ne or agriement for peace ſalbe concludeit by the tuo houſſes of the Parliament Without ſufficient caution and proviſione for the ſecuritie peace and ſaiffitie of the Kingdome of Scotland And the indempnitie of all perſounes and eſtaites for and concerneing the ayde and aſſiſtance which ſalbe geven to the parliament and Kingdome of Ingland The ſuppreſſion of the papiſts and ill affected pairties in the Kingdome of Scotland the ſaiff and peaceable returne of thair forces ſent into Ingland and the reall performance of all articles agreid wpon with them

HAVEING thus pñtit theſe particulares We must intreate yor lõpes and the reſt of this honõll cõmittee according to o^r^ paper of the 17 of this inſtant To Deſyre of the richt honõll the lord^s^ and wtheres of the conventione of eſtaites To give ane anſ^r^ with all poſſible and convenient ſpeid therwnto Conſidering the preſſing neceſſities of the Kingdome of Ingland Doe requyre the ſame And to let them know that ſuch is the earneſt deſyre of the tuo houſſes of the parliament to prevent all ſcruples miſapprehenſiounes and difficulties which may occaſione the drawing out this buſſines into lenth / fare beyond the tyme / that the miſeries and calamities of thair ſiſter church and Kingdome of Ingland will beare That we are further authoriſed to conſider with o^r^ breithrein of Scotland / what other articles or propoſitiones may be fitt to be added and concludeit wherby the aſſiſtance now deſyreit may be made more beneficiall and effectuall for the ſecuritie of religion and liberties in both Kingdomes / Which we ſhall wpon all occaſiounes be readie to doe Wee cannot doubt of the readie and willing affec^o^ne in that honõll conventione to comply with theſe deſyres of both houſſes of the parliãt of Ingland when we reflect wpon the freſch taſte ^t^ experience we

had of it in the particular of the neare and ſtrict wnion latelie offered to them / and conſidering that / in this the tuo houſſes doe propound to themſelffes no other end nor the glory of God the inlairgement of the Kingdome of Chryſt the hono^r and happines of the King and his poſteritie and the publict libertie / peace and ſaiftie of both Kingdomes

EDINBURGH 25 Auguſt 1643

Comiſion & Capitulation wth the Lord Sinclar

ARTICLES of capitulation and agreiment betuixt the Convention of the Eſtaites of this Kingdome and Johne Lord Sinclar

IMPRIMIS the ſaid^e eſtaites have nominat and appoyntit the ſaid lord Sinclare to be Colonell of the fyve companies of footemen to be levied in this Kingdome And to be capitane of on of the ſd^e companies his livetennent colonell to be capitane of another of the ſd^e companies and other thre capitanes to be nominat and appoyntit over the wther thre companies And every on of the foirſaid^e fyve companies to conſiſt of the number of 120 ſouldieres With power to the ſaid Colonell To nominat and appoynt a quarterm^r a chirurgiane & a perforce to the ſaid regiment As alſo the wholl wnder officeres of his awin companie And with power alſo to the ſaid Leiv: Colonell and thre capitanes with conſent of the foirſaid colonell to appoynt the wnder officeres of thair ſeverall companies for whom they ſalbe anſ^rable And the ſd^e eſtaites appoynts and ordaines the pay of the ſaid Colonell / Leiv: Colonell: 3 Capitanes and inferio^r officeres and ſouldieres To be as followes viz the ſaid Colonell his pay to be 333 lib 6 ſ 8 d The leivetennent Colonell his pay to be 200 lib The pay of every on of the thre capitanes to be 100 lib monethlie The pay of the quartermaſter of the 5 companies to be 45 lib monethlie The pay of the chirurgian of the ſd^e companies to be monethlie 45 lib The pay of the perforce to be monethlie 18 lib The pay of the livetene^t of every on of the ſaid^e companies to be 45 lib monethlie The pay of enſigne for every on of the ſaid^e companies to be monethlie 36 lib The pay of tuo ſerjants for everie companie to be for each ſerjant 15 lib monethlie The pay of thre corporall^e for each companie to be for everie corporall 12 lib monethlie The pay of a ſcriver to each companie to be 15 lib monethlie The pay of a Drūmer to each companie to be 12 lib monethlie The pay of a pyper to each companie to be 12 lib monethlie And the pay of everie on of the ſouldieres of the ſd^e companies conſiſting of the number foirſaid to be 6^d per diem With power alſo to the ſaid Lord Sinclair To levie tak wp and bring togidder the foirſd^e fyve Companies and officeres and ſouldieres foirſds ſalbe payit at the rate and proportione abovewrin by the ſaid^e eſtaites for fyve monethes at leaſt and longer ay and whill they be diſchargeit by the ſaid^e eſtaites or cōmitties haveing power from them And the ſaid^e eſtaites Ordaines the ſowme of 3 lib preſently to be geven to the ſaid Colonell for everie ſouldier of the ſaid^e fyve companies Conſiſting of the number foirſd for the levieing and bringing them togidder And ſiclyk the ſaid^e eſtaites Ordaines the pay of the ſaid Colonell / Lev: Colonell and thre capitannes To begin from the dait of thir pñts And the wnder officeres of the regiment and companies To begin at the tyme of thair inrolment And every on of the foote ſouldieres thair pay to begin at the tyme of thair randivous efter ſpēit

AND on the other pairt the ſaid Lord Sinclar and the Marqueis of Argyll caū^r for him Doe heirby obleidge them wnder the paine of 5000 mk^e with all diligence To levie bring togidder and muſture the foirſd fyve companies Conſiſting of the number foirſaid Everie on of them haveing a ſword and all the wther wnder officeres befoir men^nat wpon the link^e of leith befoir ſuch perſounes as the eſtats or otheres haveing warrand from them ſall appoynt wpon the 16 day of Sepr nixt At qlk tyme the ſd^e eſtaites declares they will provyde them with armour viz pikes muſquet^e drumes culo^re and all other neceſſeres And ſiclyk the ſds eſtaites Declaires if at any tyme eft^r the ſaid 16 of Sepr nixt the ſaid lord Sinclar his lev: Colonell or any of his thre capitanes ſall bring togidder 60 or more of any of thair companies That the eſtaites will tak them of thair hand^e and give ordour for payment thairoff wntill the ſd 16 day of Sepr At qlk tyme they are to enter wpon thair ordinarrie pay And the eſtaites declaires that the cōmanderes of the thre troupes of horſe ſall receave ordo^re from the ſaid Lord Sinclar wpon any occaſione They ſalbe quartered togidder And the ſaid Lord Sinclar and his ſaid caū^r for him is heirby obleidgeit wnder the paine foirſaid To obtemper and obay all ſuch ordo^re as he ſall from tyme to tyme receave from the convention of eſtaites or any haveing power from them / And keip good ordour and diſcipline q^n they are in thair quarteres or wpon ſervice / And in everie thing ſall behave themſelffes as faithfull and reſolute ſouldieres

EDINBURGH 26 August 1643

The Result of the treattie wth the English Cōmiſsioners

THE QLK DAY The convention of Eſtaites haveing red and conſiderit the paper of the 25 of this inſtant concerning the reſult of the treattie betuixt the cōmittie appoynted by the ſd^e eſtaites And the commiſſioneres appoynted by the parliament of Ingland The ſaid^e eſtaites Ordaines the ſaid paper to be ſubſcryveit be the Clerk of the ſaid Cōmitte as good grund^e for concluſiones of the tuo houſſes of the ſd parliament of Ingland To authorize thair commiſſioneres to conclude the ſame and remittes the perfytting and effectuating thairoff for the pairt of the eſtates of Scotland to the cōmittie of eſtaites reſiding at Edinburche Off the qlk reſult the tenour followes

25 Augt 1643

THE particulares concerneing the aſſiſtance deſyreit by the houſſes of the parliament of Ingland from thair breithrein of Scotland / being delyvered by the ingliſch cõmiſſio^{r} the 19 inſtant to the convention of eſtaites They did therewpon give power to thair cõmitties To conſider and debate further with the ingliſch commiſſioneres of q^{t} other propoſ^{i}nes micht be added or concludeit Wherby the aſſiſtance deſyreit micht be made more effectuall and beneficiall In purſueance q^{r}off the propoſitiones following wer conſiderit of / and debaited by the cõmittie and cõmiſſioneres aforſaid To be certified with all convenient ſpeid to the tuo houſſ of the parliament of Ingland / and the convention of the eſtaites of Scotland by thair reſtive cõmitties and commiſſioneres to be reſpectively takin into thair conſidera^{c}nes and proceidit with as they ſhall find cauſe

1. THAT the Covenant repreſented to the convention of eſtat^{r} and geñell aſſemblie of Scotland and ſent heirwith to both the houſſes of the parliament of Ingland be ſworne and ſub^{t} by both Kingdomes as a moſt neir tye and conjunc^{c}ne betuixt them for thair mutuall defence againſt the papiſt^{r} & prelaticall factione and ther adherentes in both Kingdomes and for purſewing of the end^{r} expreſſit in the ſaid Covenant

2. THAT ane airmie for this purpoſe ſalbe levyed forthwith conſiſting of foote effective / and horſe effective with a ſuteable traine of artailliarie / to be readie at ſome generall randivous neir the borderes of Ingland to merch into Ingland for the purpoſes aforſaid with all convenient ſpeid The ſd foote and horſe to be weill and compleitly airmed and provydit with victuall^{r} and pay for fourtie dayes and the ſaid traine of artailliarie to be fitted in all poyntes readie to merch

3. THE airmie to be commandit by a generall appoynted by the Eſtaites of Scotland and ſubject to ſutch reſolu^{c}nes and direc^{c}nes as are and ſhalbe agreid and concludeit wpon betuixt the tuo Kingdomes or by cõmitties appoyntit by them in that behalff for purſewance of the end^{r} abovementionat

4. THAT the charge of Levyeing Airmeing and bringing the ſaid forces togidder furniſched As alſo the fitting the traine of artailliarie in readines to ſche To be computed and ſet doun according to the ſame raites As if the Kingdome of Scotland wer to raiſe the ſaid airmie for themſelffes and thair awin effaires All which for the p^{r}t is to be done by the Kingdome of Scotland wpon accompt And when the peace of the tuo Kingdomes is ſatled the ſame to be repayit or ſatiffied to the Kingdome of Scotland

5. THIS airmie to be payit lykwayſe as if the Kingdome of Scotland wer to imploy the ſamyn wpon thair awin occaſiounes and toward the defraying theroff (it not amunting to the full monethes pay) ſalbe monethlie allowit and payit / the ſume of Threttie thuſand pund ſterling by the parliament of Ingland out of the eſtaites and revenewes of the papiſtes / prelattes malignants and ther adherentes / or wtherwyſe / and ineaice / that notwithſtanding the ſaid monethlie ſume of 30000 lib payed as aforſaid The eſtates and Kingdome of Scotland ſhall have iuſt cauſe to demand further ſatiffac^{c}ne of thair breithrein of Ingland when the peace of both tuo Kingdomes is ſatled for the paines hazard and charges they have wndergone in the ſame / They fall by way of brotherly aſſiſtance have due recompence made wnto them by the Kingdome of Ingland out of the ſaid land^{r} and eſtaites of the papiſtes prelattes malignantes and thair adherentes / and otherwiſe And for the aſſureance hereoff the publict faith of the Kingdome of Ingland is to be geven to them

6. AND to the end the ſaid airmie in maner aforſaid may be inabled and prepared to merch The Kingdome of Ingland is to pay in readie money to thair breithrein of Scotland or ſuch as ſhall have power from the eſtaites of that Kingdome the ſowme of ane hundreth thuſand pund ſterling at Leith or Ed^{r} with all convenient ſpeid by way of advance befoir hand which is to be diſcompted bak againe vnto the Kingdome of Ingland by the Kingdome of Scotland wpon the firſt monethlie allowances which ſall grow due to the ſcottiſch airmie from the tyme they ſall mak thair firſt enterance into the Kingdome of Ingland

7. THAT the Kingdome of Scotland to manifeſt thair willingnes to thair wtmoſt abilitie to be helpfull to thair breithrein of Ingland in this common cauſe will give the publict faith of the Kingdome of Scotland To be joyntlie made wſe of with the publict faith of the Kingdome of Ingland for the p^{r}t taking wp of Tuo hundreth thuſand pund ſterling in the Kingdome of Ingland or elſwhere for the ſpeidie procureing the ſd 100000 lib ſterling as aforſaid As alſo a conſiderable ſowme for the ſatiffieing in good proportione the arreares of the ſcottiſch airmie in Ireland

8. THAT no ceſſa^{c}ne nor any pacifica^{c}ne nor agreiment for peace q^{t}ſomever ſalbe made by ather Kingdome / or the armies of either Kingdome without the mutuall advyſe conſent and aſſent of each Kingdome or thair cõmitties in that behalff appoynted.

9. THAT the publict faith of the Kingdome of Scotland ſalbe geven to thair breithrein of Ingland That nather thair enterance into nor con-

tinuance in the Kingdome of Ingland ſalbe made wſe of to any wther ends / then as are expreſſit in the Covenant and articles of this treatie And that all materes of difference that ſall happin to aryſe betuixt the ſubjectes of the tuo natiounes ſalbe reſolved and determined by the mutuall advyſe and conſent of both Kingdomes or by ſuch cõmitties for this purpoſe as ſalbe by them appoynted

10. THAT in the ſame maner and wpon the ſamen condiᵒnes [as] the Kingdome of Scotland is [now] willing to ayde and aſſiſt thair breithrein of Ingland The Kindome of Ingland doeth obleidge themſelffes to aide and aſſiſt the Kingdome of Scotland in the ſame or lyk eaices of ſtraites and extremeties

11. THAT dureing the tyme that the ſcottiſch airmie ſalbe imployed as afoirſd for the defence of the Kingdome of Ingland Thair ſalbe fitted out as men of warre eicht ſhippes qᵗoff ſex ſalbe of burthein betuixt ſexſcoir and Tuo hundreth tun And the otheres betuixt thre hundreth and four hundreth Tune Wheroff tuo ſhalbe in lieu of the tuo ſhippes appoyntit by the Iriſch treatie All which ſalbe mantained at the charge of the Kingdome of Ingland To be imployit for the defence of the [Coast] of Scotland Wnder ſuch cõmanderes and according to ſuch direcᵒnes as ſalbe mutually agreid wpon by both Kingdomes or thair cõmitties appoyntit in that behalffe

EDᴿ 26 August 1643

Act in favors of Robert hepburne

FORSAMEIKLE as the eſtaites of this Kingdome preſentlie conveined haveing red and conſiderit the recommendaᵒne made be the Commiſſioneres for the cõmon burdinges in favoᵘrᶠ of Robert Hepburne advocat Clerk to the ſaid cõmiſſioune for ane recompence to him for his extraordinarie paines and good ſervice done be him as Clerk to the foirſaid Commiſſioune And in conſideratioune of his loſſe in deſerting off his charge and office befoir the lordſ of ſeſſioun by his continuall attendance wpon the publict effaires intruſted to the foirſaid cõmiſſioun And the ſaidſ eſtaites finding it iuſt and reaſonable that the foirſaid Clerk his extraordinarie paines and goode ſervice in the foirſaid pubᵗ Imployment be thankfully recompenced And that the loſſe ſuſteinit by him by deſerting his ordinarie charge and calling foirſaid ſould be conſiderit And inreſpect that his paines and deſerveings are beſt knowen to the ſaidſ commiſſioneres for the cõmon burdings with whom he ſerved Thairfoir the ſaidſ eſtaites Remittes to the ſaidſ cõmiſſioᵘrſ and recommendis to them to modifie ſuch proportione of recompence to the foirſd Clerk as they ſall think fitting And as his extraordinarie paines and ſervice with the deſerting of his calling foirſaid ſhall be fund be them to deſerve

Richt affured freinds

THE Eſtaites have hard at lenth your cõmiſſioᵘrſ and thair deſyres / Wherin they have cairfully diſchargeit the truſt cõmitted to them But inregaird of the importance and difficultie of the buſſines they could not returne anſʳ therto till now

Lre to the officers of the Scots armie in Ireland

BY the paper heirwith ſent geven in by the Ingliſch commiſſioneres Yow will fully wnderſtand thair mynd concerning the arreares due to the airmie and the diſmiſſion of the ſamen: Which they haveing ſerioullie conſiderit at the deſyre of thair cõmiſſioneres who ſoucht þʳ advyſe / they find the mater full of difficulties without reall payment To alter the ſuretie we have alreadie for the reaſones more parᵗʸ expreſſit to the bearer

AND tutcheing the diſmiſſing of the airmie reſerveing ſome gariſounes They are no les trubleit / both in reſpect of the airmie and other good cuntrey men and chriſtianes in theſe pairtes / and how to reſolve to keip them wp without ſome aſſureance of interteinmẽt is no les difficultie Yet leaſt they ſould ather be thocht ingraite or wnkynd to yow or diſcurage yow by þʳ ſilence They doe heirby aſſure yow that they ſall ever be als cairfull of your particular to þʳ power as of any thing moſt neirly concerneing this Kingdome But ſince it is liklie that this Kirk and Kingdome ſall enter in covenant with the Kingdome of Ingland (wheroff they have ſent yow a double) for the cauſſes and endſ þin conteined / We deſyre to know your opiniones and reſoluᵒnes in theſe particulares with all ſpeid Wherby we may the better determine what courſe to proſecute on yoʳ behalff

WHITHER or not the reſt of the Scottis and Ingliſch in Wlſter wilbe content to concurre and joyne with them and yow in this Covenant

Whither or not it wilbe better to bring over the haill bodie of the airmie entire wpon the groundes and reaſounes expreſſit to the beareres Or leive ane ſmall bodie thair (the greater pairt being to be tranſportit into this Kingdome) ſince it is thocht impoſſible to interteane many at this tyme from thir Kingdomes in the calametous conditione they are brocht to / by the malignant diſpoſiᵒne of papiſtſ prelattes and thair adherentes

THEY deſire to know with all diligence what numberes moſt be provydeit for / becaus they are agreing for ſome more meill / beſyde what is about be ſea and goeing over land / And for the tranſport ſhipping is neceſſarie but not eaſilie gottin Thairfoir haiſt ane anſʳ and aſſure yoʳ ſelffes thair ſalbe no want of affecᵒne in them / for if this Kingdome reſolve wpon the grundes of this covenant to goe

in airmes to Ingland for ſetling and ſecureing religione / his mãties honour and procureing peace that no more Chriſtiane bloode be ſhed They ſalbe verie willing to include the intereſt of that airmie in the deipeſt concernement of any particulares may tuch this Kingdome

YOUR cõmiſſioneres heire have inſtantlie wrged the pay^t of the haill bygaine arreares of the airmie and did peremptourly ſtick that at leaſt thair may be pũtly delyverit four monethes pay But the diſeaſes of the Kingdome of Ingland and heavie regraittes made be the cõmiſſ^res of that Kingdome haith moved ws to accept that threſcoir thuſand pund ſterling may be pũtly delyvered / that I am cõmandit by the eſtaites to ſignifie wnto yow

Loudon Can^ll I P D

ED^R 26 August 1643

Approbation of the proceidings of the Conservers of Peace

THE Eſtaites haveing peruſed and conſiderit the proceidings of the Commiſſioneres appoynted by the Kings mãtie and eſtaites of Parliament of this Kingdome for preſerveing the articles of the treattie and peace Togidder with the ſeuerall roll^t letteres declaratiounes and endevoures offered by them for removeing and compoſeing of the diſtrac^ones betuixt his mãtie and his houſes of Parliãt Doe find that they have caried themſelffes diligentlie and faithfullie in diſcharge of that truſt cõmitted wnto them And thairfoir approves of thair bygone proceidinges And recommendes to them in tyme cuming to be cairfull according to thair power and cõmiſſione to preveine all truble and deviſione which may aryſe by the breaking and violating of any of the ſd^t articles concludeit in the treatie Or to the diſturbance of the cõmon peace And to labour to remove or compoſe the ſamen

ED^R 26 August 1643

Declaration of the estats to the Parliam^t of England

WEE have reſaved from the hand^t of Sr Williame Armine Barronet / Sr Harie Vaine jũn Knicht Thomas Hatcher and Henry Darly Eſq^re / Committies and cõmiſſioneres of the honõll houſes of the parliãt of Ingland thair declaratione laitlie ſent wnto ws Expreſſing the preſent bleiding and diſtreſſit eſtaite of that Kingdome / and deſyreing a more neir and ſtrict wnion betuixt the tuo natiounes for thair mutuall defence againſt the papiſtes / the prelaticall faction and thair adherentes / togidder with our pũt ayde and aſſiſtance for the releiff of our breithrein of Ingland / Remitting all particulares concerneing the ſamen to be further cõmunicated to ws by thair aboveſaid cõmitties and commiſſioneres Which particulares have accordingly bein made knowen / both to ws and to the generall aſſemblie of this kirk by the Commiſſioneres of the tuo houſes Who have purſued the ſame with ſo greate wiſdome fidelitie and diligence as haith verie much furthered the work and deſerves a verie large teſtimonie on thair behalffe

WPON ſerious conſideratiounes wheroff We doe declair to theſe honõll houſes that this Kirk and Kingdome are deiplie affected with the ſenſe of the ſad and calametous conditione of thair breithrein of Ingland and are [moſt] readie and willing to contribute thair beſt and wtmoſt endevoures for the preſervatione of religione which is no other then the ſoule / the proteſtant pairtie / which is the bodie / our owne lyves who are the memberes and the honour and happines of the King who is the heid of theſe Kingdomes: All theſe being in ſo extreame and imminent danger to be wterly rwined by the power and policie of the papiſts / prelaticall fac^one / malignantes / and ther adherentes the cõmon enemies of both Kingdomes now rageing in airmes alſweill in Ingland as in Ireland

FOR further confirmatione heiroff we may truely ſay that this our ſympathy and willingnes to have the counſell and courſes of both kingdomes ioyned togidder for the cõmon ſaiftie of this Illand as it haith bein often lairgelie expreſſit and promiſed by the ſeuerall iudicatories of this Kirk and Kingdome So it will now moſt evidently appeare by the reſultes of the cõmitties of the aſſemblie / and our cõmitties with the cõmiſſioneres of the honõll houſes / and by the other declara^ones letteres and actiounes / both of ws and the genẽll aſſemblie / Concerneing the neirer wnion betuein both Kirk^t and Kingdomes for thair mutuall defence againſt papiſtes prelattes and malignantes / and the moſt effectuall meanes for the ſaveing of the religione King and Kingdomes from the preſent dangeres of all which the cõmiſſioneres of the tuo houſes wilbe the beſt witneſſes and the paperes themſelffes the Cleireſt evidences and demonſtratiounes / And ſeing the generall aſſemblie of this kirk doe ſend into England ſome of thair number (men of approved faithfulnes and abilities) To be cõmiſſio^r{t} from them for contributeing ther beſt indevoures to incurage the heartes and ſtrengthen the hand^t of that kirk and Kingdome in this cauſe of God againſt all thair pũt difficulties and diſtreſſes which God in his awin good tyme and way will turne into a comfortable calme / and give iſſue with the temptatione

WE have thoucht fitt heirby to cõmend the ſaid cõmiſſio^r{t} and any other whom we ſall ſend with them to be receaved by the Parliament of Ingland and aſſemblie of divynes there with favour and truſt And have geven warrand to them more largelie to expreſſe the chriſtiane ſenſe and fellow feilling of this Kirk and Kingdome with thair breithrein of Ingland and thair willingnes and readines To concur in all good and poſſible wayes

for the cōmon ſaiftie of the Kingdomes / and to ſatiſſie ſcruples / prevent miſapprehenſiounes and remove difficulties that may occur in the way of this greate worke

AND that nothing micht be. wanting on o^r pairt for proſecuteing the cōmon cauſe and anſ^ring the expeditione and deſyres of o^r breithrein of Ingland / both the generall aſſemblie and convention of eſtaites being neceſſitat to adjurne for the good of the buſſines (the extreamitie of the dangeres requyreing ſpeidy prevention) They have geven verie full and ample cōmiſſioun to thair commiſſioneres reſideing at Ed^r for to doe everie thing þ^t ſalbe fund by cōmon advyſe neceſſarie and poſſible for ſo good endes Being ſo thruchlie ſenſible of the growing evellꝭ and miſeries / that are readie to overcome o^r ſiſter kirk / and Kingdome of Ingland and thruch þ^r ſides to wound ws / That we ſhall not content o^r ſelffes only to manifeſt our affectione in declaratiounes But when the opportunitie ſerves ſo far as lyeth in ws ſhall ſhew foorth our ſelffes in every lawfull way [ſuteable] to o^r awin dangeres and the extremities of o^r breithrein To whom we are and deſyre yet to be more firmelie ioyned in ſo many neire tyes and [relatiounes]

Ed^r 26 August 1643

Act for the Cōmittees of Warr in the shyres

THE ESTAITES OF THIS KINGDOME pñtly conveined Taking into thair ſerious conſideratioune the danger imminent to the true proteſtant religioune his mãties perſoune and auc̃tie and peace of his Kingdomes / by the multitude of papiſtes / prelattes and ther adherentes now in airmes in Ingland and Ireland and the occaſioun thairby geven / not only to the publict enemies of religion abroad But even to any diſaffected pſounes at home To labo^r ſo far as in them lyes to ſubvert the religione and peace now happily eſtableiſhed within this Kingdome And finding it neceſſary that all meanes be ſpeidily wſeit for preventing the practiſies of ſuch for preſerveing of the peace / and keiping of his mãties ſubjectes in a duetifull obedience to the lawes and publict judicatories / and in chriſtiane wnitie / among themſelffes They have thairfoir reſolved that this Kingdome be pñtly put into a poſture of defence and for the better and ſpeidier effectuating thairoff They have nominate and appoyntit And heirby nominattes and appoyntes the perſounes particularly wnderwr̃in to be Colonellꝭ of horſe and foote within the ſeuerall ſeffdomes and boundꝭ thairoff alſweill to burgh as land rex̃tive eſt ſpẽid Vĩ3 Within the ſeffdomes of Ed^r principall / Hadingtoun / Peibles and Bailliarie of lauderdaill / Colonellꝭ of the foote / the Earle of Dalhouſſie or the lord Ramſay his ſoune / the lord Maitland / the lord Yeſter / lord Balmerino the lord forreſter / the laird of Wauchtoun or his ſoune / and the Proveſt and baillies of Ed^r for Ed^r / Leith and Cannowgait And who have heirby power and cōmiſſioun to choyſe thair awin Colonelles and wnder officeres / And for the horſe the Earle of Hadintoun

WITHIN the ſeffdome of Berwick for the foote the lord Balgonie Sr Dauid Hoome of Wedderburne / Sr Williame Hoome of Aiton And for the horſe Jo^n Hoome of Blacader

WITHIN the ſeffdome of Roxburgh and Selkirk for the foote the Earle of Lothian / the Earle of Buccleuch (Who haith alſo his awin landes within the ſeffdome of Dumfreis) The lord Cranſtoun or M^r of Cranſtoun / And for the horſes Sr Wãm Scott of Harden

WITHIN the ſeffdome of Lanerick for the foote Colonell lindſay of Belſtaines / and Sr William Carmichaell fier of that ilk / and for the horſe Sr Wm Baillie of lamynton and Sr James Hammilton of fingalton.

WITHIN the ſeffdomes of Dumfreis and Annandaill excepting ſo much as is befoir aſſigned to the Earle of Bucleuch for the foote the Earle of Queinſberrie / or Williame Douglas his brother / Sr Robert Greirſone of lag and Sr Johne Charteres of amiſfeild

WITHIN the ſeffdome of fyffe and Kinroſhyre for the foote the Earle of Dumfermeline the Earle of lindſay the Lord Elcho and lord Burchlie and for the horſe the lord Balcarres

WITHIN the ſeffdome of forfar for the foote the Earle of Buchan the Earle of Kingorne and the vicunt of Dudope and for the horſe Sr Areſkine of Din and of Tyllen

WITHIN the ſeffdome of Perth for the foote / the lord Gaſk the lord Drummond the lord Couper Ruthven of freiland Campbell younger of Glenurquhie and for the horſe Rollock younger of Duncrub and James Mercer of Adie

WITHIN the ſeffdome of Stirline for the foote the lord levingſtoun and the laird of Buchannan and for the horſes Sr Charles Areſkine and Murray of Polmais

WITHIN the ſeffdome of Lithgow for the foote the laird of Dundas elder or younger and for the horſe / the laird of Bonhard

WITHIN the ſeffdomes of Dumbarten Argyll and Northilles excepting the lewis / And for Lochquhaber Noidert and Araſet the Marqueſ of Argyll

WITHIN the ſeffdome of Bute for the foote Sir Robert Montgomerie of Skelmurlie

WITHIN the ſeffdomes of Wigtoun and Kirkcubricht for the foote the vicunt of Kenmure and lord Garlies / as alſo for the preſbetrie of Wigtoun excepting the paroches of Mochrum and Kirkcowane with the preſbetrie of Stranrawer / is to be joyned to Cariet to be commandit by the Earle of Caſſillſ / and for the horſe of Kirkubricht and Dumfreis / the Lord Kirkcubricht / and for the horſe of Wigtoun / and Stranrawer / the laird of Garthland.

WITHIN the ſreffdomes of Air and Renfrew for the foote the Earle of Loudoun lord heich chancellor / the Earle of Eglingtoun the Earle of Glencairne / the Earle of Caſſilles: And for the horſe the lairdes of Rowallan / Houſtoun and Ceſnock / except the horſe of Carict Who are to be commanded by ſuch as the Earle of Caſſillſ ſall appoynt

WITHIN the ſeffdome of Kincarden and the pairt of the ſeffdome of Aberdein / nixt to Aberdein and the ſaid burch and freidome p'off for the foote / the Earle Merſchell: and for the horſe the laird of Morphie The horſe of Kincardin being reſerved to the Earle of Merſchell.

THE nameing Colonelles and Committies of Aberdein / Orkney Caitnes and ſuch other places not named in this act / Are remitted to the cõmittie of eſtaites

WITHIN the ſeffdome of Inuernes excepting ſuch places p'off / as are aſſigned to the Marqueis of Argyll and Earle of Sutherland for the foote The Earle of Seaforth or his brother pluſcarden / the laird of Tarbet / and Sr James fraſer

WITHIN the ſeffdome of Bamff / for the foote the Earle of finlater / lord Gordoun / and the Earle of Mariſchell for his awin land and in ſanct fergus paroche

WITHIN the boundes of Elgin and Nairne ꝓteining all the landſ betuein ſpey and Neſſe and the lard of Grants boundes / The Earle of Murray

WITHIN the ſeffdome of Sutherland Stranaver / and that pairt of Inuernes betuixt Turbetnes and Dungwald be north Cromaſtie / the Earle of Sutherland

AND ſiclyk the eſtaites Nominattes and appoyntes the perſounes wnderwrĩn To be cõmitties and cõmiſſioneres within the ſeverall ſhyres alfweill burgh as land in maner to the effect following That is to ſay In the ſeffdome of Ed^r principall S^r archibald Johneſtoun of Wareiſtoun Preſtoun of Craigmiller / Sr James Dundas of Arnieſtoun / Sr Johne Wauchope of Niddrie / Sr Dauid Creichton of lugtoun Sr Patrik Hamiltoun of Preſtoun Sr James foulles of Colington Sr Johne Couper of Goger Mr George Windrahame of libertoun Sandelandes tutour of Calder George Hay of Monkton Alexander Inglis of Ingliſtoun James Rig of Carberrie / Dobie of Staniehill / George foulles of Ravelſtoun Dalmahoy younger of that ilk Alexander hay of Revelrig Williame Douglas of Overgoger James Raith younger of Edmiſtoun and Sr Johne Smith and James Danieſtoun for Ed^r Of which number the lord Wareſtoun is conveiner / and in his abſence Mr George Windrahame

IN the conſtabulrie of Hadinton and bailliarie of lauderdaill Sr Patrik Hepburne of Wauchtoun Sr Adame hepburne of Humbie / Sr Johne Hamilton elder of Preſton / Johne Hepburne younger of Wauchtoun Sr Jo^n Sinclar of harmiſtoun S^r patrik Cokburne of Clerkinton / Sr Alexander Douglas of Spott / Sr Williame Scott of Harden Mr Johne Hepburne of Smetoun Sir Alexander Moriſone of Preſtongrainge James Duglas of Cheſter Mr James Sincerff of Ruchlaw Patrik Inglis of Elvinſtoun George Hoome of Furde Francis Hepburne of Beinſtoun Mr Alexander Hoome of S^t leonardes George logane of Burncaſtle Andro Ker of Moreſtoun Johne Cokburne for hadingtoun Pwrves for Dumbar Robert Seaton baillie of Tranent Of which number the laird of Wauchtoun or in his abſence his ſoune To be Conveiner

IN the ſeffdome of Peibles Sr Alex^r Murray of Blakbaronie Sr Dauid Murray of Stanehope Sr Johne Veitch of Dawick James Naſmith of Poſſo Johne Halden of that ilk James Geddes of Rachan Johne Dikſone of Hartmyre Williame Lyll ſeffdepute Andro Hay of Hayſtoun Wm Govan of Cardrono Williame Tueidie of Wrae James Ruſſell of Kingſyde Johne Williameſoune for Peibles Sr Johne Veitch conveiner or in his abſence Sr Alex^r murray

IN the ſrefdome of Selkirk Sr Johne Murray of Philiphauche / Sr Williame Scott younger of Harden James Pringle of Torwoodlie James Pringill of Whytbank Huch Scott of Gallowſheilles Robert Scott of Whitſlaid Robert Pringill of Blindlie Robert Scot of Borthwickbrae francis Scott of Syntoun Williame Scott of Tuſchellaw Thomas Scott of Todrick Johne Murray of Sindhope James Murray of Deuchar Johne Scott of Gilmurſcleuch Robert Scott of Bowhill / Patrik Scott of Thirleſtane Andro Ker of Sunderlandlaw Williame Scott of Mangertoun in Newwark Andro Scott of Fewſheilles Andro Scott of Braidmeidow Thomas Scott for Selkirk and Robert Scott of Whitſlaid / or in his abſence Sr Jo^n Murray to be conveiner

IN the ſeffdome of Berwick Sr Dauid Home of Wederburne / Sr Williame hoome of Aitoun Johne hoome of Blackader Sr Williame Cokburne of langton Sir Alexander Suinton of that ilk S^r patrik Hoome of Polwart Sr James Nicolſoune of Colbrandſpeth George Hoome yor of Wedderburne / Alexander Hoome of Halybruntoun Mr Harie Hoome of Hardriges Johne Hoome of Nynewall^e Johne Renton of lamerton Mr George Hoome of Kimerghame Alexander Hoome of Reſtoun Sr James Cokburne of Ryſla Johne Wilkie of foulden Pringell of Stitchell George Hoome of Eccles Johne Edgar of Wedderbie and Sr Williame Hoome of Aiton Or in his abſence the laird of Blacader to be Conveiner

IN the ſreffdome of Dumfreis and the ſtewartrie of Annerdaill James Crichtoun brother to the Earle of Dumfreis Sr Robert Greirſone of lag Sr Johne Charteres of Amiffeild Sr Johne Greirſone of Rochall [M^r] Thomas Kirkpatrik of Cloſeburne / Mr George Duglas of Phinyrie James Dowglas of Morton Johne Wilſone of Croglenie / Thomas ferguſone of Caitloch Jo^n lowrie of Maxwelton / Johne Crichton of Crawfurdſton Williame Douglas of Kelheid Johne Garden of Appilgirth James Dowglas of Mouſwall Andro Johneſtoun of lockerbie Johneſtoun of Wafra murray of Dumcreiffe andro Murray of Moraqhat Robert Charteres of Duchra James Jo^nſtoun of Corheid Archibald Douglas of Dornock Mr Jo^n Corſon and Thomas M^cbirnie for Dumfreis / and the ſaid Mr Jo^n Corſon or in his abſence Thomas M^cbirnie to be conveiner

IN the ſeffdome of lanerick Sr James Sumervell Sr James maxwell of Calderwoode / Alexander Hamiltoun of Haggis James Hamilton of Woodhall Williame Baillie of Carphin / Gawin Hamilton of Raploch James Hamilton of Boiges Johne Inglis of Mureſton Johne Hamilton of Gilderſcleuch Robert Roſe of Thornton Archibald baillie of hills / Johne Hamilton of Weſton Stephen Lockhart of Wickelſhaw / Johne Bannatyne of Corehouſe Williame Hammiltone of Dalferſe Edward hamilton of Stillertonhill Walter Stewart of Alanton patrick hamilton of gaitfyde Sr Williame Carmichaell fier of that ilk Johne Dalyell of Johneſtoun thorne George weir of Blackwoode more of Aniſtoun George lockhart of Tarbex Mr Johne Carmichaell commiſſer George Porterfeild and James Bell for Glaſgow Gedeon Jack for laneriek Mr Johne Cheiſly and the ſaid Mr Johne Carmichaell or in his abſence Dalſerffe to be conveineres

IN the ſeffdome of linlithgow George Dundas of that ilk or Dundas his ſoune Sr Archibald Stirlin of Carden Sr James Stewart of Kirkhill Williame Drummond of Rikarton Mr Johne Bruce of Wrae Johne Hamilton of Kingleſſie Sr Robert Drumond of Medhope George Dundas of Dudiſton Mr George Dundas of maner Francis Durhame of Dumtarvie Sr Walter murray of levinſtoun Johne hamilton of Boghall James Cocherane of Babachla Alexander Hamilton of Bining George Bell for lithgow And the laird of medop or in his abſence Babachla [to be conveiner]

In the ſeffdome of Stirling Sr Charles Areſkine of Cambuſkeneth Johne Stirlin of harbetſhyre Rollock of Bannockburne leckey of that ilk Alex^r Cuninghame of bowhen Bruce of Achinbowie Mr Johne Edmiſtoun of Boche Walter Buchanan of Drummakill Lenox younger of Banſhogell Johne Buchannan of Roſſe George Buchannan of that ilk / Sr Williame Bruce of Stanehous levinſton of Weſtquarter Mr Williame Cuninghame of Bromehill [and Thomas Bruce for ſtirling and the ſaid Mr Williame Cuninghame] or in his abſence Thomas Bruce to be conveiner

IN the ſeffdome of Dumbarten Williame Semple of foulwood Walter Mackala of Ardincaple Johne Naper of Kilmahew Noble younger of fern Johne M^cferline of that ilk / Sr Humphrey Colwhoun of Balvie Williame Buntyne younger of Ardoch Mungo lindſay of Bonnill Robert Colwhoune of Ballarneck Johne Colwhoun of Kilmardon / Johne Denniſtoun of Dalthorne Hugh Crawfoorde of Cloberhill William Douglas of Kaiſtoun Robert Hamiltoun of Barns Johne Semple of Damock Johne Darleith of that ilk / Johne Knock of Barnes Andro Stirline of law Johne Colwhoun of Milnetoun Walter Colwhoun of Barnehill Robert Hall of foulbar Johne Semple for Dumbartan and the laird of Balvie or in his abſence Johne Semple to be conveiner

IN the ſeffdome of Wigton and ſtewartrie of Kirkcubricht Sr Patrik M^ckie of larg M^ckie of Balmegie Alex^r Gordoun of Erlestoun Johne lennox of Calie lennox his ſoune Johne foullerton of Cairletoun Ritchart mure of Caſſincarrie / Thomas Rume of Skingray Alexander Gordoun of Knokgray George glendoning of mochrim Robert Gordoun of Knokbex William Glendoning for Kirkcubricht Johne Gordoun appeirand of Erlestoun Johne Gordoun of Cardens William Grerſone of Bargartoun James M^cdugall of Garthland Sr Robert adair of Kinhilt M^cdugall of logan Andro Agnew appeirand of lochnaw Gordoun of Craichland Johne Murray of Brigtoun / Johne Vaus of Barnbarroch Patrik Hannay for Wigtoun James Roſſe of Balneill Thomas Hay of park / Wthred M^cdowell of freuch lancelot Greirſon of Dalcarffe fergus Kennedy for Stranrawer and the laird of Garthland or in his abſence Cardines to be conveiner

IN the ſeffdome of Roxburgh Sr Andro Ker of Greinheid Sr Walter Riddell of that ilk / Sr Thomas Ker of Caveres Johne Rutherfoorde of Hunthill Andro Ker of linton Mr George Douglas of Bonejedburgh Archibald Douglas fier of Caveres Willia Elliot of Stobbes Johne Ker of lochture / Hary Cranſtoun bro^r to the lord Cranſtoun Robert Pringill of Stitchell Johne Scott of Gorrinberrie Williame Ker of Newtoun Robert langlandſ of that ilk Mr Gilbert Eliot of Craigend Walter Scott of Gandilandſ Johne Rutherfurde of Edgerſtoun [Johne Scot of Itshaw] Johne Berhope of that ilk Johne Rutherfurde for Jedburch Gedeon Scot in Harden and the ſaid Archibald Douglas of Caveres or in his abſence Bonejed^r to be conveiner

IN the ſeffdome of Air Wallace of Craigie / Sr Williame Cuninghame of Caprintoun / S^r hew Campbell of Ceſnock / James Chalmeres of Gathgirth Dauid Crawfoorde of Kerſe Sr Williame Cocherane of Cowdoun James foullertoun of that ilk Johne Ofburne for air Sr Williame Cuninghame of Cuninghameheid Johne Blair of that ilk Sr William Mure of Rowallan Sr Johne Crawforde of Kilbirnie Neill Montgomerie of langſhaw Johne Crawfoorde of Crawfoordeland Alexander Cuninghame of Corſhill Mr Robert Barclay for Irvein Sr Alex^r Kennedie of Culzeane Dauid Kennedie of Kirkmichell Thomas Boyd of Pinkhill Hew Kennedie of Girvanmayns Johne Kennedie of Knockda M^r hew cathcairt of Cairletoun Robert Montgomerie of haſſilheid Thomas Kennedie yor of Ardmillan Dunlop of that ilk Robert M^calexander of Corſelayes Johne M^cilven of Grimet Dauid Boſwell of Affleck Johne Campbell of Shankſtoun Harry Kelſo / Johne Lockhart of Bar Thomas Stuart of Gaſtoun / and Rowallan or in his abſence Gatgirth to be conveiner

IN the ſeffdome of Renfrew / S^r lodowick houſtoun of that ilk / Sr Johne Maxwell of Nether Pollock Sr Williame Roſe of Newriſtoun Sr Patrik Maxwell of Newark Williame Cuninghame of Craigence Johne Birſbane of Biſchoptoun Johne Schaw of Greinock Alexander Porterfeild of that ilk Johne Stuart younger of Blakhall Patrik fleiming of Barrochane Robert Pollock of that ilk Bryce Semple of Cathcairt Williame Hoome of Glanderſtoun Caldwall of that ilk / Johne Sprewell for Renfrew Robert Wallace in Paiſlay / and the laird of houſtoun or in his abſence Craigence to be conveiner

IN the ſeffdome of Bute Stuart of Killcattan elder Stuart of Killeattan younger Stueart of Aſcok Alexander Campbell of Pennimoore Bellenden of Cames Robert Bannatyne of lupus Johne Hamiltoun baillie of Arran Robert Campbell of Achinwilling Donald M^cneill of Kilmorrey Donald Campbell of Kirkmichell / and Sr Robert Montgomerie of Who is alſo to be conveiner

IN the ſeffdome of Argyll Robert Campbell of Glenurwhie Sr Duncan Campbell of Achinbreck Duncan Campbell of Dundron / Colin Campbell of Barbreck / Duncan Campbell of Innerliver / Archibald Campbell capitane of Craignies Mr Dougall Campbell of lag Hector M^cneill of Theynes Hector macalaſter of loupe Malcome Macnauchton of Dundarrow Archibald Campbell of Glengaradell Johne M^cloyd of Dunvegan S^r donald M^cdonald of Sleat Johne M^cranald of Illantyrum / capitane of the clanranald Alane Camron of lochyell or Donald Camron his ſoune Sr Donald Campbell of Ardnamurchane S^r lauchlaine M^cclane of Dowart Murdoch M^cclaine of lochbuie / James Campbell of Ardkinglas Archibald Campbell of Kilmund Colin Campbell of Straquhir Archibald Campbell of Otter Sr James lamont of Innerryne Lauchlane Macclauchlane of that ilk younger Johne Campbell of Lochninell Archibald Campbell Capitane of Dunſtafnes / George Campbell Tutor of Calder Johne M^cdougall of [Ragra John Campbell of Ardchattan Alexander M^cdougall of] Dunnolyt and George Campbell ſeff depute of Argyll and the ſaid laird of Glenwrwhie or in his abſence Achinbreck to be conveiner

IN the ſeffdome of Clakmanan Sr Robert Bruce of Clakmannan Sr Charles Areſkine of Bandeth Leivtene^t Colonell Andro Bruee Mr Robert Bruce of Kennet Johne halden of Myretoun Gawin Marſhall of Doller elder and Sr Alex^r Shaw of Sauchie who is alſo to be conveiner

IN the ſeffdome of fyffe and Kinroſch Arthur Areſkine of Scottiſcraig Lundie of that ilk or Robert Maitland Williame Scott of Ardroſſe Sr Thomas Mortoun of Campbo Colonell Sr James Lumiſden Robert forbes of Reres or William forbes his ſoune Jo^n Cuninghame of Barns George hay fiar of Nauchton James Airth for Pittinweyme Sr Andro Bruce of Earliſchall Sr George hamilton of Blaikburne Sr Michaell Arnet of that ilk Sr Johne Weymes of Bogie Sr Andro Skeine of Halyeardes James law for kirkcaldie Mr Robert Cuninghame for Kingorne George Gairdin for Bruntiland Sr George Areſkine of Otterſtoun Johne Henderſone of fordell Sr Robert Colveill of Cleich William Monteith of Rundfoorde Sr James halket fier of Pitfirrane James Kid for Dumfermeline Robert Dempſter of Balbougie Sr Dauid Barclay of Cullernie Dauid Beaton of Creich Sr Johne Aiton of that ilk Sr James Arnet of fearnie Johne Preſtoun fiar of Airdie Dauid Pitcairne of that ilk Sr Michaell Balfour of Denmylne Dauid M^cgill fiar of Rankellour George Jameſone for Couper Johne Seaton of lafreis Dauid Balfour of Balloche Williame halliday of Tulliboll Sr Williame Douglas of

Kirkneis Robert Paterſone of Dinmwre Dauid Symſone for dyſert Mark Kinglaſſie for Inuerkeithin Captane Alexander for Anſtruther James Sword for S^t androis and Andro Daw for Craill / and Scottiſcraig or in his abſence Denmylne To be conveiner

IN the ſeffdome of Perth Sr Thomas Blair of Balthyock Sr Thomas Ruthven of freiland Johne Oliphant of Bachilton Patrik Kinnaird of Inchture Peter Hay of Leyes Sr Patrik Ogilvie of Inchmairtein Campbell of Glenwrwhie Mr George Grahame of Inchbreakie Johne Blair of Ardblair Mr Dauid Kinloche of Aberbrothie Dauid Grahame of Gorthie / Dauid Carmichaell of Balmedie Johne Grahame of Balcomie Sr Johne Moncreiff of that ilk Sr Johne halden of Glennegies Sr James Drummond of Machane Thomas Durhame Dean of Gild of Perth James Stirline of Auchile James Mercer of Adie Alex^r Meingies of Comrie James Stueart of Ardworliche George Campbell of Crunam Drumond of Balloch Ramſey of Bamff Gilbert Campbell ſiar of Kethwik Sr George Preſtoun of Valyfeild / and Inchture or in his abſence Inchbraikie to be conveiner

IN the ſeffdome of forfar Thomas fotheringhame of Powrie Mr James Durhame of Pityarrow or James Durhame in his abſence Williame Durhame elder of Grange Johne Scrimgeor of Kirbſtoun Thomas haliburtoun for Dundie James Chrichton of Ruthven George Haliburtoun of Killour Johne Nevoy ſiar of that ilk James Ogilvie of Balfour Peter Young of Seatoun Williame Ruthven of Cairne Sr Alex^r Carnegie of Balnamoone Robert falconer of Drim Robert Arbuthnet of ſindawrie George Symer of Balyordie James Scott for Montroiſe frederick lyon of Melgum Thomas fothringhame of Dinun Sr Williame Blair of Bagillo George Campbell of Carſegownie Johne Ogilbie of Pitmoney Mr Williame Clepen of Hedderſtakes Hunter for forfar and the laird of Brigton or in his abſence Balnamone to be conveiner

IN the ſeffdome of Kincardin Sr Alexander falconer ſier of halkertoun Sr Alex^r Carnegie of Pittarrow Patrik falconer of Newton Johne Grahame of Creggie Dowglas of Stainnipeth Alex^r Keith of Kirktounhill Robert Keith of Whytriges Robert Douglas of Brigfoorde Robert Midletoun of Cowdoun Ramſay of Balmaine younger of Alardes Wood of Balbegno Strachan tutor of Thornton Banerman of Elſik Straton of laureſton James Burnet of Craigmilne Williame Rait of halgrein Johne Barclay of Johneſtoun Sr Thomas Burnet of Leyes Mr James Strachane of fettercairne Mr Dauid falconer of Glenferquher / and Whytriges or in his abſence fettercairne to be conveiner

IN the ſeffdome of Bamff Sr Robert Innes of that ilk Ogilvie of Boyne Ogilvie of Kempkairn Abercrombie Elder of Birkinboig Sr Alex^r Crombie younger his ſon Baird of Auchmeden Gordoun of Glaſchorie Abercrombe of Skeith Wilſon of Brakanhille James Ogilvie of Ragall Mr Alex^r Douglas Proveſt of Bamff Ogilvie of Poldavie Ogilvie of halyeardſ Sutherland tutor of Duffus Innes younger of Achloncart Grant of Balindaloch younger Gordoun of Achanachie Williame lawtie and the ſaid laird of Birkinboge younger or in his abſence Mr Alex^r Douglas to be conveiner

IN the ſeffdome of Aberdein Sr Alex^r Irvine of Drum Sr Gilbert Meingies of Petfoddellſ / Patrik Leſlie for Aberdein Alex^r fraſer of Philorth Sr Williame forbes of Craigievar Thomas fraſer younger of Streichin Johne Keith of Glachriach Robert ferwherſoune of Inuercald Sr Thomas crumbie of Kemney / Robert forbes of Eicht James Hay of Muriefald Mr Robert Gordoun of Straloch Mr Williame More of Scottiſtoun Thomas Mortimer of haſſilheid Mr Robert ferwhar of Muney Thomas Areſkine of Pittodrie Skeine of that ilk forbes of Tolwhen leſlie younger of Kineraigie Johne Kennedy of Karmuckſ Robert Keith of Knockſ forbes tutour of Pitſligo Dalgerno of Garniſton Robert Irvine of fedderit of Glenkindie Meldrum of haltoun and the laird of Drum or in his abſence Philorth To be conveiner

IN the ſeffdome of Elgin / Nairne / and a pairt of the ſeffdome of Inuernes / with the toun thairoff and Strathſpey Duncan forbes of Colladon / James Cuthbert of Draikes Williame Mackintoſch of Keillachie Williame Dolles of Cantra Williame Roſſe of Clava Hew Roſſe of Kilraoch Alexander Brodie of lethin Jo^n Grant of Moynes Johne Sutherland of Kinſtarie Alexander Dumbar of Both Johne Hay of Knockdowie Thomas McKeingie of Pluſcarden Alexander Dumbar of Weſtfeild Thomas Tulloch of Tannachies Ninian Dumbar of Granghill Alex^r Brodie of that ilk Alex^r Sutherland of Duffus Sr Robert Innes of that ilk Sr Robert Gordon of that ilk Mr Johne Hay proveſt of Elgin Patrik Campbell of both James Grant of freuchie Johne Grant of Ballindalloch younger / and the laird of Brodie or in his abſence Innes To be conveiner

IN the ſeffdome of Sutherland and a pairt of Inuernes Gray of Skaibo Dauid Roſſe of Balnagoune Sr Alex^r Sutherland of Duffus Sr Robert Monro tutour of foulles / Walter Innes of Innerbreakie Hector Douglas younger of Muldarg / Andro Macculloch of Glaſtalloch Hew Roſſe of litle

tarcel Alexander Gray of Ofpifdaill / Robert Murray of Pulroffie Donald M^cloyd of Affint Walter Murray of Pitgrudie Hutcheon Macky of Skawrie Alexander Gordoun of Carrell Robert Gray of Culmaillie / Sr Johne Gordon of Embo and Gray of Skibo Or in his abfence Balnagowne to be conveiner

IN the ſeffdome of Caitnes Sr James Sinclar of Murkill francis Sinclar of Tufbufter Sr James Sinclar of Canſbar Sr Johne Sinclar of Dunbeth James Sinclar of Kelter Alexander Sinclar of Rachlow Dauid Sinclar off Patrik Sinclair off James Sinclar of Brymes James Sutherland fiar of forſe Johne Sinclar of Aſſure Johne Murray of Penniland Alexander Cogill of that ilk Charles Caddell of lynacke Dauid Cogill fiar of Cogill Dauid Caddell of Skuthell Williame Bruce of Hame Robert murray in Thurſo Johne Innes of Thirſetter Dauid Budge of Alexander Bruce of Holland Robert Innes of Johne Dauidſone ſeff Clerk And the ſaid laird of murkill to be conveiner

IN the ſeffdome of Orkney Stueart of Maynes Harie Stueart of Grinſay Thomas Buchannan Shirreff Mr Harie Aitken Cōmiſſar Edwark Cock / Magnus Tailzeour Johne Baikie and Henry Prince baillies of Kirkwall Patrik Smith of Braco Williame Sinclar of Saba Johne Craigie of Sand Thomas Sinclar of Campſtoun James Baikie of Tankernes Edward Sinclar of Gyre Edward Sinclar of Neſſe Johne Sinclar of Hamer Adame Bellenden of Stenhouſe Dauid Heart of Ruſland Huch Halcro of Gruke Williame Craigie of Gerſey Williame Irveing of Garſlay Patrik Balfour of farray Thomas Traill of Holland James Cock of Bea Johne Grot of Elſnes James fea younger of Clayſtrain Robert Stueart of Burch Johne Grot of halſtoun James Mudie of Melſiter Huch Halcro of that ilk And the laird of Maynes or in his abſence Mr Harrie Aikin to be conveiner

WITH power to them (being once mett by the conveineres above ſpēit or any of them reẍtive and ſworne by them for attendance and fathfull adminiſtra^one) Or at leaſt any fourt pairt or more of them / beſyde the conveiner / Whom they have power to mak choiſe of among themſelves / efter the firſt meiting / and not excludeing the Colonelles of the ſhyre / and weill affected noblemen within the ſame who pleaſeth to aſſiſt / and are heirby declaired to have vote and place in thair meitings once in the weik at the leaſt / at the heid burgh of the ſhyre or any other convenient place they ſall pleaſe And thair to tak ſpeciall tryell and mak perfytte liſtes of the wholl fenſible perſounes betuixt 60 and 16 within thair ſhyre both foote and horſe / and to have a ſpēall cair to ſie them ſufficiently provydit with airmes And for that effect To call ſuch perſounes befoir them as they ſhall think moſt able ather to burgh or land / to give wp wpon oath the liſtes of the ſaid^e wholl fenſible perſounes and airmes within the ſhyre And to ſend ane authentick double of the ſaid liſt to the cōmittie of eſtaites at Ed^r / As alſo with power to them to devyde thair ſhyres into ſeverall deviſiounes And to appoint a diſtinct pairt pairoff for everie on of the colonelles within thair bound^e / And if any debait aryſe concerneing the making of the deviſiounes Which cannot be pñtly ſetled with conſent That the ſame be repreſentit to the cōmittie of eſtate With power lykwyſe to them to reduce the wholl fenſible perſounes in the ſhyre alſweill to burgh as land into regimentis / foote companies and horſe troupes Which being done / That the colonell^e by advyſe of that cōmittie appoynt all wnder officeres neceſſarie for cōmanding all theſe wnder thair charge And to ſie them ſufficientlie provydit with all furniture requiſite And that they have a cair that they be dreilled and exerceiſeit in manageing thair airmes / everie regiment once in the moneth and everie companie or troup once in the weik at ſuch place as the ſaid^e cōmitties and colonell^e ſhall appoynt Who are heirby requyret to ſie the capitaines of each companie provydit with culoures and Drumes and the rutemaiſteres with trumpets and cornets: And that they be in readines / as they ſall receive ordo^r from the cōmittie of eſtaites to bring furth ſuch number and proportion of thair regiment^e with ſufficient furniture / airmes and proviſioune / as they ſalbe requyred Provyded alwayes / that the burrowes royall within the ſhyres / ſall have the nomina^one of thair awin capitanes and wnder officeres and thair men to be exerceiſed within thair awin toun and ſhall not be obleidgeit to keip wther places of muſtering in the ſhyre / till the regiments of that diviſione q^r the burghe lyes be callit to merch or goe wpon ſervice. In which caice each burgh is to furniſch a proportionable number of weill airmed men Conforme to the number furniſched by the ſhyre / and who are to goe on in the ſervice wnder and receave cōmand from the Colonell^e and other officeres named as ſaid is. And for the more good ſervice it is ordained that the ſeuerall cōmitties foirſaid^e appoynt ſome ſecure place for magazines of ammunitione and airmes for the wſe of the ſhyre / And that this wholl ſervice may be the better furthered and advanced The cōmitties and Colonell^e foirſaid are heirby ordained to labour ſo far as in them lyes to intertaine wnitie and love amongſt all his māties good ſubjects in theſe bound^e and that all private quarrell^e / incaice any ſall happin to fall out among any weill affected perſounes / be ſatled and removed amicablie Or otherwyſe that ye ſame be repreſented to the cōmittie of eſtaites at Ed^r And iff any tumult or inſurrec^one breake furth in the ſhyre by malignants or other diſaffected perſounes / To wſe all meanes to compeſce the ſame And if neid be to

purſew the raiſeres thairoff in ane hoſtill way / with the ſtrenth of the ſhyre / And if the inſurrec^ne or diviſione come to that hicht that the ſhyre q^t it fall^ſ out is not able to ſuppreſſe the ſame That the Colonell^ſ cōmitties and cōmanderes of the nixt adjacent ſhyres on all quarteres (with whom the cōmitties reſtive are to keip correſpondence) joyne for ſuppreſſing the ſame as they ſall reſave adverteiſment from the cōmittie of Eſtates or cōmittie of the ſhyre where the inſurrec^ne is and in caice of any forrane invaſioun be ſea or be land that the colonell^ſ and cōmanderes ryſe in airmes with the wholl ſtrenth of the ſhyre horſe & foote for reſiſting the ſamen / and by beacons and wtherwayſe to give tymeous adverteiſment thairoff to the cuntrey and nixt adjacent ſhyres Who are heirby cōmanded to ryſe and concur in the purſute of the ſd^ſ invaderes and raiſeres of cōmotion and trouble: And if they or any otheres aſſiſting them in theſe wnlawfull deides ſall flie to ſtrenthes and houſſes With power to the ſd colonell^ſ and cōmanderes and all otheres that joyne with them / to raiſe fire / aſſeige the ſaid ſtrenths and houſſes and wſe all wther kynd of warlyk ingynes that can be had for recoverie thairoff and apprehending the ſaid^ſ perſones or thair aſſiſteres And if in executione heiroff any ſlauchter / mutilation / or wther accident ſall fall out wpon the perſounes ſo purſewed The eſtaites declaires the Colonell^ſ and wtheres foirſd^ſ frie thairoff and of all paine or danger they may incur therthrow for ever And ordaines and cōmand^ſ all his māties good ſubjectes to aſſiſt the ſaid^ſ committies and colonell^ſ in the proſecutione of this cōmiſſion wnder the paine to be eſteimed and puniſched as enemies to religione / the Kings mātie and thair native cuntrey and airt and pairt of the ſd^ſ inſurrec^nes And to the effect the ſaid^ſ Colonell^ſ and cōmitties may the better attend this charge / With power to them or quorum thairoff foirſaid to inflict and wplift wnlawes aff the abſents / To nominat and elect clerkes and wther officeres neidfull / And to appoynt fies to them for that ſervice And if any places of the ſaid^ſ cōmitties vake by deceiſe or wtherwayſe With power to the quorum there to receive otheres in thair place And notwithſtanding heiroff it is ſtatute and ordained that non be admitted / nor ſuffered to remaine as memberes of the ſd^ſ cōmitties nor have publict charge in the ſhyre but ſuch as ſall ſubſcryve the articles to be ſent into the ſhyre by the eſtates or committie theroff / with advyſe of the generall aſſemblie or cōmiſſioneres thairoff. Lykeas the ſd^ſ cōmitties are heirby ordained To obay and put in execu^ne all ordoures and inſtructiounes to be ſent wnto them by this convention or committie of eſtates and give frequent advertiſements of thair proceidings and of the condition of the ſhyre and of the names of all the papiſtes and diſſaffected perſounes within thair bound^ſ / to the committie of eſtaites / to whom they ſalbe anſrable for the diſcharge of this truſt cōmitted to them by this commiſſione Which is to indure whill the ſame be recalled by the parliament conventioune of eſtaites or committies thairoff

ED^R 26 August 1643

Act for the Committee of Estats

THE Eſtaites of this Kingdome preſentlie conveined Taking into thair ſerious conſideratioun the dangeres imminent to the trew proteſtant religioune his māties hono^r and the peace of his Kingdomes be the multitude of papiſts prelattes and thair adherentes now in airmes in Ingland and Ireland and the ocaſioun geven þ^by not only to the publict enemies of religion abroad But even to any diſſaffected perſounes at home To labour ſo far as in them lyes to ſubvert the religione and peace now happily eſtableiſched within this Kingdome And finding it neceſſer that all meanes be ſpeidily wſeit for preventing the practiſes of ſuch / for preſerveing the peace and keiping his māties ſubiectes in a duetifull obedience to the lawes and pub^t iudicatories and in a chriſtiane wnitie amongſt themſelffes They have thairfoir reſolved that this Kingdome be p̃tly put into a poſture of defence And that a grave cōmittie be appoyntit from the eſtates To conſult conclude and determine wpon theſe and wther weichtie cauſſ eſ^t ſp̃eit in maner and to the effect following And thairfoir nōiat^ſ appoynts and gives power and cōmiſſioun to Johne Earle Loudoun lord heich chancello^r and the lord geñell ſupernumerarie Arch^d Marques of Argyll / Williame Earle of Merſchell Johne Earle of Sutherland / Alex^r Earle of Eglintoun Williame E: of Glencairne Jo^n E: of Caſſill^ſ / Charles E: of Dumfermeline / Williame E: of lothian / francis E: of Buccleuch Jo^n E: of lauderdaill Jo^n E: of lindſay Jo^n Earle of Weymes Williame E: of Dalhouſſie James Vicunt of Dudop Johne Lord Yeſter Johne lord Sinclar Johne lord Balmerinoch Robert lord Burchlie James lord couper George lord forreſter Thomas lord Kirkcubricht Alex^r lord Balcares Arthur areſkine of Scottiſcraig The lord Wareſtoun the lord humbie Mr George Windrahame S^r michaell Balfour of Denmylne the laird of Dundas the laird of lag Collonell lindſay of Belſtaines The laird of Broddie Sr Patrik Hepburne of Wauchtoun Sr Williame Mure of Rowallan Williame Rig of atherne Sr Thomas Ker of Caveres Thomas Ruthven of freiland Sr Williame Scott of harden Sr Andro Wauchope of Nidrie Sr Patrik Hamiltone Johne Schaw of Grenock the laird of Wedderburne Sr Williame Scott of Ardroſſe
Balmayne Mr James Durhame of Pitzarrow Sr Jo^n Smith James Denniſtone Johne Binnie [Ja: Rae] James Stueart Thomas Durhame James Symſone Patrik leſlie Thomas Bruce George Bell James Sword George Porterfeild Hew Kennedy George Gardin Johne Rutherfoorde Thomas Macbirnie Mr Robert Barclay Johne Semple George Jameſone Dauid ſimſone Williame Glendinning & Gedeon Jack Or

any fyftene or more of them There being alwayes four of everie eſtate pñt To convein at Ed^r at ſuch tymes and places as they ſall appoynt And thair among themſelffes / or with ſuch as ſalbe authorized be his mãtie or houſſes of parliament of Ingland / or any other perſounes q^tſomever they ſall think fitting To conſider treate debeate conclude and determine wpon the fitteſt and moſt conduceable meanes for defence of the true proteſtant religione the liberties and priveledges of the Kingdome his mãties perſone and auctie in the preſerva^one ꝑoff and the peace of his Kingdomes now in danger be the multitude of papiſts prelattes and ther adherentes in airmes in Ingland and Ireland and for bringing the churches of Scotland and Ingland to ane neirer coniunc^one and wniformitie of religione and church governement And for that effect to ſend ꝑ humble ſupplica^ones and declara^ones to his mãtie the Kingdome of Ingland or any wther perſoune or perſounes q^tſomever And to wſe all wther effectuall meanes for removeing the diſtrac^ones and differences betuixt his mãtie and his people and as they ſall think fitting with advyſe of the genẽll aſſemblie or cõmiſſioneres ꝑoff To give ordour for ſubſcryveing and ſweareing the covenant laitlie offered to and allowed be the aſſemblie and convention of eſtat^ And incaice it ſalbe thocht fitting be them for the end^ and reaſounes foirſd^ That ſome conſiderable number of forces and men in airmes be raiſet With power to them to give ordour to the ſeverall cõmitties colonell^ and otheres perſones within this Kingdome for levieing raiſeing and muſtering of ſuch regiments and forces of foote and horſe furth of the ſeverall ſhyres and borrowes of this Kingdome and for outreiking with airmes ammunitione victuall and wther furniture As they ſall think fitting And alſo with power to them to appoynt places of thair randevous / give ordour for quartering and billoting theroff / appoynt ſuch generall officeres over theme as they ſall iudge fitting and are not nameit alreadie be the eſtaites And to authorize them wth cõmiſſiounes to that effect to nominat and appoynt thair ſeverall payes and to provyde meanes for payment ꝑoff And for that effect to borrow and wplift ſowmes And als to provyde and buye thairwith airmes ammunition and all ſort of proviſione and other neceſſeres And to appoynt cõmiſſeres for diſtributeing and keiping compt of the ſame Whilk ſowmes of money pryces of victuall and wther foirſd^ ſo to be borrowit and reſaveit are heirby declared to be publict debt dew be the eſtaites of the ſd Kingdome who are heirby bund to pay and releive the ſame And to freith and releive the ſd^ cõmiſſio^r and all ſuch pſounes as by thair warrand or cõmand ſall ingadge or give ſuretie thairfoir And alſo with power to them to give out ſuch ordoures for the proviſione and richt regulateing of the ſaid^ forces as they ſall think fitting And to ſet doun compitent pryces and excyſ wpon all victuall good^ vivares and wther cõmodities for the vſe and interteinment of the ſd^ ſoulders to be lifted within the Kingdome or ſent furth thairoff and to call to accompt all ſuch perſounes as ſalbe intruſted be them in this ſervice for all intromiſſiounes and debts to be contracted wpon the publict in the ſame And either be them ſelffes or ſuch audito^r as they ſall appoynt To examine controll or allow and approve all that ſalbe depurſeit or contracted in the publict effaires of the Kingdome And to pay and ſecure the perſounes to whom thair ſalbe any thing iuſtlie auchtand With power lykwayſe to them to give ordo^r to the cõmitties in the ſeuerall ſhyres To all cõmanderes ſeffes ſtewartes baillies of regalities and to all wther magiſtrates and ſubiects to burgh or land in everie thing concerneing the publict in ſuch a way as they ſall think fitting And ſeing in ſome ſhyres there are ſeverall deviſiounes and colonell^ to be ther is only on cõmittie appoyntit / and leaſt thairby any hinder may fall out to the ſervice Power is heirby geven to the ſd^ commiſſioneres wpon remonſtrance from the cõmitties of the ſhyres repreſenting the neceſſitie of devydeing the ſamen To devyde the cõmitties of any ſuch ſhyres in ſeverall cõmitties two or moe As the diſpatch of effaires ſall requyre And to adde ſuch qualified perſounes as may mak wp ane competent number in each deviſion The number appoynted be the eſtaites for the haill ſhyre ſtanding allwayes inteir for diſpatch of buſſines concerneing the haill ſhyre And the cõmitties to be appoyntit wpon remonſtrance foirſd To have only power within ꝑ awin diviſione And incaice any mater of importance or difficultie occur among them the ſame is to be decydeit be the cõmittie of the haill ſhyre And incace it ſall happin any places of any of the Colonell^ of the ſhyres to vaik be deceis or wtherwayſe With power to this cõmittie from the eſtaites to appoynt otheres in thair place And to remove ſuch otheres from thair places as they ſall have iuſt reaſon for And to call befoir them all papiſts malignants diſaffected perſounes and all ſuch otheres as ſall not give obedience to the cõmon reſolu^ones of this Kingdome or [publik] iudicatories thairoff of q^tſomever condition or degrie they be off And to tak ſuch courſe for ſeeureing thair perſounes and intrometting with thair eſtaites to the wſe of the publict as they ſall think fitting With power alſo to the ſaid^ perſounes or quorum foirſd To treate conſult and determine in maner foirſaid concerneing the pay^t of the remainder of the brotherly aſſiſtance and intereſt thairoff bygone and to come And for payment of the arreares due be the Kingdome of Ingland to the Scottis airmie in Ireland And to tak courſe for the future intertainment thairoff and diſpoſeall of the ſame in haill or in pairt in tyme coming And to give warrand for diſtributeing the ſowmes appoynted to be lifted in this Kingdome be act of the eſtaites of the 15 of this moneth be way of loane and taxt for payment

of the arreares and advancements alreadie made for intꝰtainment ꝑoff and for interteinment of the companies of horſe and foote qlkꝭ are to be levyed by act of the Whilkꝭ warrands to be grantit as ſaid is are heirby declaret to be ane ſufficient warrand to the generall collecto^r and his deputes And als with power to them to give out cōmiſſiounes for ſuppreſſing of diſorderes in the cuntrey And generallie To doe all and ſindrie other things requiſite anent the ordering and manageing of all effaires and buſſines qlk may conduce to the goode and peace of this Kingdome and the furtherance of the particulares abovewr̄in And if wpon the reaſounes and groundꝭ above expreſſit It ſalbe fund fitting that ane airmie or airmies be levyed and raiſet in that caice The eſtaites have reſolved and heirby gives cōmiſſioun to the perſounes foirſds or quorum theroff To devyde themſelffes into tuo ſeverall cōmitties/[and] ꝑ^t nyne or more ther being tua of everie eſtate pñt be a quorum of ether of them The one q^roff is appoyntit to remaine and reſide at Ed^r or any wther place they ſall think fitting ⁊ ꝯveniēt and is authorized with the charge of the haill foirſdꝭ effaires within the cuntrey And the other is to remane conſtantlie with the airmie And to have the governement of the effaires of the airmie and ſall give thair beſt advyſe counſell and aſſiſtance in what may conduce to the good and ſaiftie thairoff And qlkꝭ tua cōmitties are to keip correſpondence and intelligence on with another anent thair proceidings and condition of effaires And are fullie authorized to give ordo^rꝭ and direc^ones in the premiſſ above devydeit Whilk ſalbe als valeid as if the ſamyn wer done by the haill number Provyding alwayes that none of the ſaid cōmittie ſo devydit have power to enter into a treatie anent the poynts and articles in queſtion Without conſent of a full quorū of both cōmitties And incaice any of the cōmiſſioneres places ſall happin to vaike be deceiſe or wtherwyſe The reſt of the quorum ſall have power to mak choyſe of otheres of that ſame degrie to ſupplie the places ſo vacand And with power to the ſdꝭ tua cōmitties or ather of them as they ſall have occaſioune To convein ſuch noblemen barrounes and burgeſſes for thair advyſe and aſſiſtance as they ſall think fitting And who are heirby warranted to aſſiſt them And if any mater of ꝑ^t importance occur that doeth requyre the meiting and reſolu^one of the eſtaites In that caice the ſd cōmittie reſideing at Ed^r or in any other place wth in this Kingdome hath heirby power To call ane full meiting and convention of the eſtaites And the foirſaidꝭ cōmiſſioneres ſall at ꝑ^r firſt meiting ⁊ accepting thair cōmiſſione give thair ſolemne oath for thair faithfull and diligent diſcharge of that truſt cōmitted wnto them And ſall fyne all ſuch of thair number as ſall not give diligent attendance at ꝑ^r meiting (in all which the geñell officeres of the airmie are heirby priveledged to be pñt) And firme and ſtable holding and for to hald q^tſoever the ſdꝭ cōmiſſioneres or quorumes foirſd ſall doe in maner and for the end foirſaid They alwayes being anſ^rable to the parlia^t or eſtates for thair proceidings in ꝑ^r cōmiſſioune Whilk is ordainit to endure till the nixt meiting of the parliament and eſtaites And ay and whill the ſamen be ſpecially diſchargeit

ED^R 26 Auguſt 1643

THE Convention of Eſtats Takeing into ꝑ^r conſideration the great paines ⁊ travelles of Ar^d Primroſe and his ſervants in the diſpatche ⁊ writting of all affaires ꝑ^t paſt at thair meitings Finds it Juſt ⁊ reaſſo^n that ſome competent allowance ⁊ fee be given vnto him be the publict And Recomende to the Cōmittee of Eſtats To modifie ⁊ ſett doune what proportion they ſall think fitt for his ſervice at this convention And ſuch farder allowance As they ſall find reaſo^n for his ſervice as Clerk to the Comittee of Eſtats And ꝑ^t they have a care to ſie the ſame payed accordinglie

26 August 1643

THE QLK DAY the Eſtates Nominat and Appoynted the earle of Leven to be lord Generall of anie forces to be Leveyed wth in this Kingdome And Recōmends to the Cōmittee of Eſtats to ſie a Cōmiſsion drawn ⁊ delyvered to him for ꝑ^t effect

Earle of Leuen Generall

THE Eſtats Prorogats ⁊ Continowis thair nixt meiting vntill the firſt wedneſday of Januar nixtocome in anno 1644 Q^r of the Eſtats are warned apud acta.

Prorogation of the Convention

ARCH: PRIMEROSE Cler^o Conven.

Eodem die

FORSAMEIKLE as the lord Maitland Mr Alex^r henderſon Mr Geo: gilleſpie & Mr Ro^t Meldrum are vpon the publict employ^ts of this kirk & kingdome To repaire to England and ꝑ^t in reaſon they ſould have ꝑ^r charges modified to thame Thairfore the Eſtats Modifies the ſume of Three punds ſterline daylie to the Lord Maitland and tuentie ſhilling sterlin to everie one of the other three ſo long as they ſall be on this ſ^rvice And that a moneths allowance be advanced to thame in hand And for ꝑ^r extraordinar charges Modifies to the Lord Maitland ane hundreth punds ſterline and to either of the maiſters threttie pundꝭ And Recomends to the Lord Humbie To borrow als much money on ãrent As will pay the ſame qlk ſall be allowed to him in the firſt end of anie of his publict intromiſſions or the firſt moneyis comes from England And for doing ꝑ^r of theſe pñts wth the parties diſcharge ſall be his warrand

Modification to Commiſsioneres

ARCH: PRIMEROSE Cler^o Conven.

. . . . . .

Apud Edinburgh,

III DIE JANUARII, A. D. M,DC,XLIV.

[CONVENTION of Estaitis haldin at] Edr 3 Januarij 1644

Sederunt CHANCELER Generall Argyll Dunfermelin Lauderdaill Lyndeſay Jeſter Callender hairtfell Balmerino

Wareſtoune humbie wachtoun Brodie Babachla Blacader

Edr Sr androes Dyſert Bruntiland Anſtruther eſter

Act in favors of the earle of Lothian.

FORSAMEKLE as the Lordſ of privie counſell having be thair Letter in September 1642 humblie repreſented to his mãtie the ſufferings and Loſs of his ſubiectis of this kingdome be the infringement of þeir antient privileges and liberties they formerlie (vpon honoun cauſſ) enioyed in ffrance And his mãtie being moſt willing to have all his ſcotiſh ſubiectis reſtored thairto and be his royall warrand of the 10th of october Laſt Authoriſe and allow the lords of his privie counſell to appoint ſutche as they ſould think fitt to deale with theis who ſould be warranted be the frenche king / that all his ſubiectis micht be reſtored to the former priviledges and enioy the ſamene in tyme cuming without diminutione As the ſaid warrand vnder his mãties royall hand and Seale at lenth bears And the Lordſ of counſell being thus warrandit And being cairfull and ſolicit for renewing ſtrenthing and confirming the antient alliance betuix the kingdomes And for recoverie of þe priviledges and Immvnities of his maties ſcotiſh ſubiectſ And having good proofe and experience of the affection and abilities of the Erle of Lothian one off thair awne number did vpon the firſt of december þairefter mak choyſe of him for negotiating of that biſſines and be thair Lẽre of the 8 of December recomendit him and his employment to his matie And the ſaid Earle having accordinglie (after he had ſchawine and made knawne his commiſſione and inſtructions to his matie) gone be his maties warrand into ffrance / he having diſchairged þat truſt committed to him Hee returned to geve ane accompt of his employment to his matie and his counſell of this kingdome Conforme to his commiſſione / And the counſell being ſtill expecting his returne / in ſtead thairof They were ſurpryſed be ane petition gevin in to thame be the Counteſſe of Lothian Schewing that the ſaid Erle wes reſtrained at Oxford Quharvpon they took occaſion to repreſent to his matie the ſaid erle his condition and employment warrandit as ſaid is with the entereſt of all kingdomes in the freedome and ſaiftie of þe commiſſioners whither ſent by ſubiectis to thair awne king or from ane kingdome to another And that be the fundamentall lawes of þis kingdome And practiſes of fformer tymes the ſaid Erle aucht to be tryed and Judged at home in a legall way be the ordinarie Judicatorie iff he had committed any thing worthie of cenſure as it is hoped he hes not And thairfore did earneſtlie intreat for his libertie Quhilk Letter we delyvered to his matie in November laſt Jitt ſo prevalent ar þe malitious ſuggeſtions of the awowed enemies of þis nation and peax þrof that not only is his reſtraint continowed Bot is alſo committed to cloſ priſſon guardſ of ſouldiers ſett about him and many vther indignities done to him And the convention of eſtaitis of þis kingdome being now mett and taking to thair conſideration the warrand of þe ſaid Erle his imployment with his preſent ꝓdition And being confident of his integritie in diſchairge of þr truſt put vpon him And trewlie ſenſible of his ſufferings (being now the ſufferings of þis haill kingdome) occaſioned thairby Doe Declair and acknaledge befor the world þat they are obliged be the Law of god and Nations to vſe all means to the vtmoſt of þr power for þe Libertie of þe ſaid Erle And that no articles nor treatie of peax ſall be treated on or concluded / without his full enlairgement As alſo þat not onelie the haill chairges and expenſſ ſuſteaned be him or his Ladie or any vtherſ be his behove ſall be repayed be þis kingdome vpon þr declaration vnder þr hand Bot alſo þt þis kingdome ſall mak vp whatever preiudice Loſ or hurt ſall enſue to him his eſtait or famelie throw occaſion of this reſtraint

EDR 3 Januarij 1644

Cõmiſsion for putting out of the horse & foote

THE convention of eſtaitis being this day mett and taking to þair conſideratione the preiudice Lyk to enſue to this kingdome throw the flownes of ſum ſchyres in putting out and bringing togither the forces horſ and foott Layed vpon them to the geñall randevous in Reſpect of þe chairges this kingdome will be putt to in mantening theſe regiments and troupes of horſe who are alredie gone out according to the ordour of þe committee of eſtaitis And finding it abſolutlie neceſſar for the furtherance of þe cauſe in hand in purſuance of theſ endſ conteand in the covenant that ſum ſtrict courſ be tane for bringing out of the regimentſ and troups of horſ They have thairfor gevine and granted And by theſe preſents gives and grants full power and commiſſion to

preſentlie to go about the bringing out of the foott and horſ Laid vpon that ſchyre And for þis end in name of þe Conventione of eſtaitis to requyre the committees for þe valuation And committees of warre to devyde and aſſigne to evrie heretor the

number of horſ that will fall vpon them and to bring out the full number of foote and horſes weell monted and armed to the publict randevous And incace any of the ſaid Committees ſall be negligent in performance of þair ſeuerall dewties in devyding and laying on of the horſes vpon the heretors or bringing out the horſe and foote Laid vpon them Or incace any of the hereto'ſ ſall refuſe to geve obedience to þe ſaid committees they doing thair dewties in maner forſaid with full power and warrant to the commiſſioners forſaid to quarter any ſogers horſe or foote vpon the perſons ſo faileing to be interteaned by them ay and quhill they and evrie of them ſall do þ' dewties rex^ue in maner forſaid And gñallie with power and command to the ſaidis Commiſſioners to putt to reall executione all the orders of the Committee of eſtaitis anent the bringing out of the men horſe and foote Laid vpon that Schyir within 48 hour' nixt eftir þe recept heirof and to [exact] the penalties conteaned in the ſaidis inſtructions commanding alſo þe commiſſioners abonewrittin to go about the ſpedie and reall performance of this commiſſion as they deſyre not to be eſtemed ennemies to religion his ma^ties honor and peax of þe kingdome

AT ED^R the 3 of Januar 1644

Precept to Captan Power

THE Conventione of eſtaitis having conſiderit Captane Powers accompt of what is owing to him of the wages of his ſchip and companie takin on be ordour of the eſtaits Togidder with the report of Sutche as wes appointit to reviſe the ſamene do ffind that þ' is iuſtlie owing to him the ſoume of Ane thovſand Sevin hundrithe nyntie ſevin pund' aucht ſhillingis ſcot' And gives warrand to the gñall collector and his Deput' To pay the ſame out of the firſt of the Loan not alreddie Diſpoſed vpon

ED^R 4 Januarij 1644

Sederunt

CHANCELER Argyll Lyndeſay / hartfell Balmerinoch Yeſter ffforreſter / Elibank

WARRESTOUNE humbie Scotiſcraig Kemnay Babachlay Brodie Buchannane Blacader wachton

Ed^r Aberdene Perth S^t androes dyſert

Act for Exeyſe

THE convention of eſtaitis conſidering how neceſſar it is at this tyme that ſum ſupplie of money be in reddines for ſuppleing of the Airmie Think' that þe moſt iuſt and equall way of Lifting of the ſame is be way of Excyſe And for that effect gives Commiſſione to Lauderdaill yeſter Balmerino^t Brodie wachton kemnay Ed^r Perth Aberdene Or any ſax of thame þair being tua of evrie eſtait to meitt and ſett dovne the beſt way of Lifting and proportioning of the ſame And to report

THE Conventione Ordains citatione to be direct againſt þe Erle of Abercorne to come and ſubſcryve the Covenant vnder þe pains conteaned in the act maid þ^anent

Act for citation to the Parliam^t

THE Conventione Ordains and gives power to the committee of eſtaits To caus ſummond all ſutche perſones befor the nixt parliament who are declared ennemies for not ſubſcryveing of the Covenant

Act for approueing Argylls Comiſsion

THE convention of eſtaitis Ratefies and approves the ꝓmiſſion of Lieutenandrie granted be the Counſell and Committee of eſtaitis to the Marquiſe of Argyill againſt the Clandonald

Act anent Non Covenanters Estaits

THE conventione ordains the eſtaitis and rentis of all ſutche as ar ſentenced for not ſubſcryveing the covenant to be maid furthecumeand and vpliftit for þe vſe of the publict / Reſerving alwayes power to the Committee of eſtait' to modefie ſome allowance for mantenance of þ^r wyffes and childrine within the cuntrey as they ſall think fitting And that the Loan Taxt ānuities miniſters ſtipend' be payed furth thairof And that the committee give warrand to pay ānuelrent' dew to covenanters / the perſones receaving the ſamene firſt geving aſſignation of thair richt thairof to the publict That repetition may be had aff the eſtaitis of ſutche as ſall be ſentenced as ſaid is / Lyk as it is heirby declared that the ānuelrent' payed and aſſigned in maner forſaid ſall ſtill affect and be a burdene vpon the Livingis of the perſones ſentenced in ſauores of the publict

ED^R 4 Januarij 1644

Act for putting the Kingdome in a posture of Defence

WHEREAS by many Loveable acts of Parliament all the ſubiects of the kingdome are ordained to be ſufficientlie airmed and to be in reddines for compeiſſing inteſtein inſurrection and oppoſing of ffforraine invaſion Lyikas the eſtaitis of this kingdome at þe Laſt convention taking into þ^r conſideration the imminent dainger of þe trew proteſtant religion his Maties perſone and authoritie and peax of his kingdomes by the multitude of papiſtis prelat' and thair adherents now in Armes in England and Ireland And the occaſion thairby gevin not only to þe publict ennemies of religion abroad Bot even many diſaffected perſones at home to Labour ſo ffar as in them Lyes to ſubvert the religion and peax now happillie eſtabliſhed in this Kingdome Doe find it neceſſar þat all means be ſpedillie vſed for preventing the practiſes of ſutche for preſerving of þe peax and keping of his Maieſties ſubiects in a dewtiefull obedience to the Lawes and pñt iudicatories and in Criſtian vnitie amongſt thame ſelffis And did thairfor Ordaine that this kingdome ſould be pñtly put

into a poſture of defence And Did nominat and choyſe certane perſones to be Colonellᶜ of horſe and foote And Did appoint ꝓmittees within the ſeuerall ſchirreſdomes and boundᶜ of the kingdome to þat effect With power to thame to tak ſpeciall tryell and mak perfyt Liſtes of the whole fencible perſones betuixt ſixtie and ſixtein within þʳ ſhyir for foote or horſe and to have a ſpeciall caire to ſee them ſufficiently provydit with armes And the eſtaitᶜ now p̃tly ꝓvened conſidering þat the deſolationes of Ireland the bloodſhed in Engiand and danger of this kingdome do daylie increaſſ wᶜʰ haith alſo moved this kingdome to ſet furth ane airmie in purſuevance of the covenant wᶜʰ haeth takin away a grit number of Armes and Amvnition furth of þe cuntrey And that þis kingdome may be enabled to ſuppreß all inteſtein commotions recreu the armie ſent forth if neid beis and defend thame ſelffis againſt forraine invaſion Have ſtatute and Ordained and heirby ſtatutes and ordains the colonellᶜ and committees forſaid appointed in eache ſchyir to tak ſpeciall tryell and perfyte Liſts of þe wholl fenſible perſones betuixt 60 and 16 within thair ſchyir and ſie thame ſufficientlie provydit with armes And to the effect that the want of þe armes taken out of the cuntrey with the armie to Ireland and Ingland may be ſpeedily ſupplied and that the kingdome may be put into a richt militarie poſture for defence The eſtaitis Ordains each ſchyre and burgh within the ſame to provyid the particular quantities of Armes and Amvnition ffollowing

And for þat effect that þe committees of þe ſeuerall ſchyres ſend ſum in name of þe ſchyir to the Committee of eſtaitis with money to buy the ſaid armes or ſufficient ſurety from þe ſchyir to theſe who ſall provyid and bring the armes into þe kingdome And that þe particular quantities of armes abovewrittin be layed wpon and bought be the hereto̊ within the ſchyres according to þe proportion of þe ſeuerall rents conforme to the valuatione thairof And that thair may be a ſufficient number of Trained men who can exerciſe thair armes in eache ſhyre for þe endᶜ forſaid The eſtaitᶜ Ordains the colonellᶜ and committees forſaidis to reduce thair wholl fenſible perſones in the ſhyir alſ weell to burghe as Landvart into regiments foot companies and horſe troupes And according to thair former prented acts of þe convention for putting the kingdome in a poſture of defence And ordains that þe Lyik number of men in eache ſchyir wer appointed to cum out in this p̃t expedition be Dreilled and exerciſed in manageing thair armes evrie regiment ones in þe moneth evry company and troup once in the week at ſutche place as the ſaid Colonells and Committees ſall appoint And that eache ſchyir ſall enterteane ane able and expert ſojo̊ who may have the cair and inſpection of exerciſeing the regiments and companies of þair ſchyir And the Colonellᶜ and committee of the ſchyir to tak ſutche courß for inferior officers and ſeriandᶜ as may beſt with leaſt expence exerciſe thair men And who are heirby requyred to ſee the capitanes of each Company provydit with cullo̊ᶜ and drumes and the roottm̊ᶜ with trumpetᶜ and cornetts / and that þej be in reddines as þej ſall receave orderes from the cõmittee of eſtaitis to bring furth ſutche number and preparation of þair regiments with ſufficient furniture armes and proviſion as they ſall be requyred And that þe firſt men that ſall be ſent furth wherevir occaſion ſall requyre be the regiments and troupes wᶜʰ wer appointit in the northerne and remote ſchyres to cum out in this p̃t expedition and have ſtayed at home and with or nixt vnto them the halff off the number appointit to cum furth of the ſchyres for þis p̃t expeditione And the committee of eſtaitis have ſpeciall cair to ſee this act put in ſpedie and exact execution With power to them to do everie thing wᶜʰ may further þe putting the cuntrey in a richt and ſpedie poſture

This act to be without preiudice of any former orders maid for þe pryces of armes to be ſent in this expedition

Deputation to Mʳ Alexʳ Foulls to be ſubcollector of the Loan & taxt

THE Convention haveing red and conſiderit the deputaᵒn vnder written produced be the Lord Humbie they doe allow þ̊of And ordans the ſame to be reg̃rat Q̊of the tenor followis

BE It kend till all men be thir p̃t lr̃es Me Sʳ Adame hepburne of humbie knyᵗ ane of the Senato̊ᶜ of the college of Juſtice and collector gñall of the Loan and Taxt Laitelie appointed to be raiſed be the Lait convention of eſtaits fforſamekell as þe ſaid convention of eſtaits be thair act and commiſſion of þe dait the ſevinteint day of Auguſt Laſt bypaſt Did Nominat and appoint me to be gñall Collector of þe ſoume and Loan of Tuelff hundrithe thovſand merkes with ane hundrethe thousand merkes allowed be the ſaid act of expenſß for ingathering thairof And for exemptiones mentionat in the ſaid act And of þe taxt off ane hundrithe and tuentie thovſand pundᶜ appointed be the ſaid eſtaits to be raiſed and vplifted within this kingdome in maner and for þe cauſes mentioned in ane vther act of þe ſaid convention of eſtaits daited the fyfteint day of þe ſaid moneth of auguſt laſt bypaſt And be the quhilk act and Commiſſione granted to me as gñall Collector forſaid The ſaid convention of eſtaits have gevin power and warrand to me to Nominat and appoint Deputis and vnder receavers vnder me for quhome I ſall be anſ̊rable for receaving of the ſaid Loan and Taxt rexᵘᵉ from

the ſeuerall ꝯmiſſioners and ſubcollectoꝛꝭ for ſchyres and perochins and vthers intromettoꝛꝭ ꝑwith and addebtit in payment of þe ſamyne As alſo to nominat and appoint ſubcollectoꝛꝭ for the haill ſchyres of þe kingdome quhair the ſamene are not alreddie nominat be the ſaid act of convention for receaving collecting and inbringing thairof As the ſaid gift and commiſſione granted be the ſaid convention of eſtaits to me as generall collector forſaid at mair Lenth proports And I having experience of þe fidelitie and abilitie of Mr Alexander fowles ſone Lawfull to wmqll george ffowles of Ravelſtoune for exerceing and diſchairging of þe ſaid office and place of gñall Collector deput to the ſaid Loan and Taxt rexue Thairfore witt ȝe me the ſaid Sr Adame hepburne gñall Collector forſaid To have nominat and appointed Lyikas I be thir pñtꝭ Nominats appoints and conſtituts the ſaid Mr Alexander ffowles gñall collector Deput for me for receaving of the ſaid Loan and Taxt rexue from the ſeuerall commiſſioners and ſubcolleetoꝛꝭ for ſchyres burrowes and perochins and intromettoꝛꝭ thairwith and addebtit in payment of the ſamene And gives and grants to him the ſaid office of gñall collector deput With all privileges Liberties and Imwnities ꝑtening and belonging thairto Or quhilkꝭ may pertene or belong to the ſame or hes pertined or belonged to the office ef gñall collector deput of any preceding taxationes With power to the ſaid mr Alexander ffowles to crave exact receave intromett with and vplift the foirſaid ſoumes appointed and ordained to be raiſed be way of Loan and Taxt rexue furth of evrie ſchyir burgh perochin and Land within this kingdome And from the ſeuerall Commiſſioners and collectors for ſchyres and ſubcollectores for perochins and from all vthers Lyable in payment of þe ſamene or either of them rex̃ue And to raiſe and direct Letteres and all maner of executione requiſite for collecting and payment thairof either in my name or his awne name or bothe And to caus put the ſaidꝭ letters to dew executione conforme to the tenoꝛ of þe ſaid act of convention As Lykwayes with power to the ſaid mr Alexander fowles gñall collector deput forſaid to geve and ſubſcryve acquittãces and diſchairges in his awne name quhilkꝭ I will be thir pñts ſall be alſ ſufficient to the receavers as iff þe ſamene wer ſubſcryvit and delyvered be my ſelff And alſ with power to the ſaid mr Alexander ffowles to nominat and appoint ſubcollectors for the whole ſhyres of þe kingdome if þair be any as yit not nominat for receaving collecting and inbringing of the ſaid Loan and taxt rexue And gñallie all and ſindrie vther things to do anent þe premiſſes ſicklyik and alſ frelie in all reſpects as I be virtew of my ſaid gift or any vther collectors gñall of any preceding taxatione ther Deputies ſubcollectorꝭ and vnder receavers and all vther officers have done heretofore Provyding alwayes Lyikas it is heirby provydit and ordained That the ſaid Mr Alexander ffowles ſall be comptable to me and the ſaidꝭ eſtaits of this kingdome Or to the ꝯmittee to be appointed be them having power for þat effect for compt and rekning of his intromiſſione with þe forſaid Loan and taxt rexue And for his diligens anent þe ſamen And for þe mair ſecuritie I ordaine þir pñtis to be reg̃rat in the bookꝭ of þe forſaid conventione of eſtaits or in the bookꝭ of þe forſaid collectione and Loane thairin to remaine ad futurã rej memoriam And for reg̃rating heirof conſtitutꝭ my proꝛꝭ promitteñ de rato ꝛ c° In witnes qꝛof ꝛ c° w̃tin be williame wricht ſꝑuitoꝛ to Alexꝛ ogilwie wryter in Edr and ſubſcryvit be me at Edr the thrid day of Januar The ȝeir of god Jm vjc ffourtie four yeiris Befor þir witneſſ Robert Neill my ſꝑuitoꝛ and the ſaid williame wricht wryter heirof and williame Cairnes ſꝑuitoꝛ to the ſaid Sr Adame Sic ſubſcribitur A hepburne with my hand R Neill witnes W Cairnes witnes

5 Januarij 1644

SEDERUNT vt die predict° vna cum Dunfermeling callendar Hartfell Borthuik Libbertoun Mr Rot barclay — Sederunt

THE Convention of eſtaitis Nominats the erles of callender and hartfell Lord Elibank kemnay and ꝯmiſſioner for perth to pervſe the procedings of the ꝯmittee of eſtaits and to report

THE convention of eſtaits adioyns Sr James Lumſden Sr harie gib and Mr Robert Meldrum to the ꝯmittee of eſtaits that goes along with the Airmie — Sr James Lūmiſden & others adioyned to the Cōmittee

THE convention appoints Argyill Lauderdaill Balmerino warreſtoune Brodie Patrik Leſlie Mr Rot barclay to think vpon inſtructions to be gevin to them that ar to be ſent into England and to report

6 Januarij 1644

Chanr Argyll Dunfermelin Lauderdaill Lyndeſay Balmerino yeſter Borthuik fforreſter Elibank warreſtoun humbie wachton Brodie Libbertoun Buchannan Kemnay Aiton Mr Rot barclay Perth aberdene — Sederunt

6 Januarij 1644

THE convention of the eſtaits having takin to thair ꝯſideraoun the procedoꝛ of the committee of þe ſaid convention with þe ſeuerall actis and ordours maid be them for allowing authoriſing ſwearing and ſubſcryveing the ſolemne League and covenant of þe thrie kingdomes for raiſeing of ane Armie to go into England and appointing a ꝯmittee to go along ꝑwith ffor publiſhing of declarations and informaounes concerning the ſame for allowing and — Act approveing the proceidings of the Cōmittee of Estats

ſigneing of þe treaties betuixt the kingdome and the kingdome of England in purſuance of þe end conteaned in the covenant and for ſetling and ſecuring of þe toun of Bervick for engadging the publict faith of þis Kingdome with the publict faith of þe Kingdome of England for 200000 lib ſterling Togidder with the haill ſeuerall actis ordours precepts decreitis ſentences and vthers paſt and exped be them and conteaned in thair publict regiſter Doe find that þe ſaid committee of eſtaits have faithfullie diſchairged that truſt committed to them And doe þ'for approve of þair procedings as conduceing to the good of religion his Maties honor and peax of þis kingdome And interpons thair au^tie to all and evrie on of þe ſaidis acts decreits ſentences and ordours and ordains them to ſtand and have executione conforme to the teno^r þ'of And this approbatione and ratificatione to be als waleid as if þe haill acts of the committee were pticularlie heirin inſ^rt.

LYIKAS the eſtaits ratefeis and approves the commiſſion grāted to the ꝯmittee of eſtaits Colonells and committees of warre And ordains the ſame to ſtand and have executione conforme to the teno^r thairof

Act in favors of the wards of anie þ^t aall die in the publict ſervice

THE Conventione of eſtaits taking to thair conſideration the preiudice that may cum to theſe ſubiects who hold^ thair Land^ waird of the kings Matie or of any vther ſuperio^r quhatſoeuir and ſhall happin to deceis in the defence and mantenance of the religion and of þe Lawes and Liberties of the kingdome during the tyme of þe preſent trubles thairof Have ſtatute and ordained And heereby ſtatuts and ordains and declares that þe proffeit and benefeit of þe waird mariage nonentreſſe and releve falling by the deceas of any of theis who ſall happin to die in maner and for the caus forſaid with the whole commoditie that can follow vpon the ſame ſall only pertene and frelie be gevin and diſponed to the airis relict and bairnes of theis who ſall happin ſo to die as ffollowes viz whair the relict and remanent bairnes (by the here) ſall be fund provydit by the defunct Then and in that cace the whole benefeit of the waird mariage nonentreſſe and releve ſall ſolely belong to the here / But where the relict and remanent bairnes (by the here) beis not fund provydit In that cace the benefeit of the Mariage ſall only pertene to the here and the proffeit benefeit and commoditie of þe waird nonentreſſe and releve ſall be imployed and vſed for the enterteanement and mantenāce of the relict and bairnes vnprovydit And alſo for the entertenement of the here iff he have no other means for mantenance And what is overplus by the relict and bairnes thair enterteanement forſaid ordains the ſame ſuperplus to be employed for þe proviſion of the ſaid remanent bairnes by the here vnprovydit as ſaid is Provyding alwayes that the ſaid^ heres and vther perſones forſaid^ to whome the benefeit of þe ſaid waird mariage nonentres and releve is provydit to pertaine in maner rex^ue befor rehearſed beis not fund to have ſtudden againſt the mantenāce of religion Lawes and Liberties of kirk and kingdome contrare to the Late covenant ratefeit in this prefent Convention As alſo the ſaid^ eſtaits finds and declares that the kings ma^tie and all vther ſuperiors quhatſoeuir of þe ſaid^ waird holdingis ſall be altogidder ſecludit from the benefeit of the forſaid waird mariage nonentreſſe and releve falling by deceis of thair waſſall^ in maner and for the caus befor rehearſed

THE convention remits to the committee of eſtaits to conſidder of þ^r act the nynt of october anent the colonells of Stirlin ſhyir and to tak ſutche cour^s thairin as they ſall think fitting for þe good of the ſruice nochtwithſtanding of þe gñall act of þe eſtaits approveing all the acts of the ꝯmittee

Anent the raiseing of the Seſsion

THE convention of eſtaits recomend^ and þ^r with all gives full power and commiſſion to þe committee of eſtaits to tak ſutche cour^s as they ſall think fitting for þe fitting or raiſing of the ſeſſion

Volunteirs troupe

THE eſtaits Declares þ^t if any gentilmen or vthers will willinglie go on in this expedition and ather mak vp a troup or troupes of horſe thame ſelffis or el^s ioyne w^t vther troupes and be reddie for ſruice as they ſall be ꝯmandit ſall haue pay conforme to the reſt of the airmie

Anent the custome of Armes

FORSAMEKLE as the eſtates of Parliament Conveened in June 1640 Conſidering the priviledge and exemption Bruked be the nobilitie and barrones of the kingdome whereby they are exemed of all cuſtome of goodis imported to their awne vſe And that the ſame might more ſpeāllie be enjoyed for the armes brought home for defence of the kingdome in the tyme of the late troubles did therefore Ordaine that all āmunition and armes brought home ſince the 1637 zeris ſould be free of cuſtome And the eſtates now conveened finding the neceſſitie of haveing armes brought home at this tyme in reſpect of the preſent expedition and poſture of the Kingdome doe þ'fore according to the act Ordaine that all armes and āmunition to be brought home this yeere ſall be free of cuſtome And Inhibites and diſcharges all cuſtomeris or q^t-ſomever reſſaveris of exacting anie cuſtome or impoſition for anie kynd of armes or āmunition to be imported dureing the tyme foreſaid And of arreiſting and deteining the ſaidis armes and āmunition or anie goodis belonging to the merchantis Im-

porters þ'of for anie cuſtome acclaimed for the ſame q^lk the eſtates findis not reaſonable to be granted at this tyme

Band to the gñal of the Artèilierie

FORSAMEKLE as the cõmiſſioneris of the cõmoun burdens by their act of the date the nynteenth of Auguſt J^m vj^c^ fourtie twa yeeres efter compt and reckoning found the ſoume of threttie three thouſand ane hundreth fourtie foure pundis ſcottis money to be dew by the eſtates of this Kingdome to Colonell Alexander Hamiltoun gñall of the artellerie And accordinglie by þair act of the date the laſt day of marche the yeere of god J^m vj^c^ fourtie three yeeres did ordaine Williame Thomſon or anie other reſſaver for the publict To pay and delyver to the ſaid gñall of Artellerie or anie haveing his ordour the ſaid ſoume of threttie three thouſand ane hundreth fourtie foure pundis ſcottis money And ſicklyke to make payment to him of the haill ãrentis of the ſaid ſoume q^lk ſall be dew therefore at the payment of the ſame And the ſaid generall of artellerie haveing now receaved the prin^ll^ ſoume above written Togidder alſo with the ſoume of three thouſand three hundreth fourteene pundis ſeven ſhilline elleventh pennies money foreſaid as Ane yeere and quarteris anwell of the ſaid ſoume from the terme of Lambmes 1642 to the terme of mertimes laſt bypaſt in this yeere of god 1643 yeeres And accordinglie hes geven ane diſcharge theirof to the ſaid Williame Thomeſon in name of the ſaidis eſtates of this kingdome And whereas the ſaid gñall of the artellerie out of his affection to the good of the caus now in hand and furtherance of this expedition now intendit by this kingdome for the proſecution of the endis expreſt in the covenant Hes at the earneſt deſyre of the convention of eſtates of this Kingdome Lent at the feiſt and termes of mertimes laſt byganes the ſoume of fiftie thouſand merkis good and vſuall money of this realme of Scotland of the ſoumes abovewritten To be imployed and made vſe of by the ſaidis cõmittee of eſtates to the vſe of the publict for the endis above written Therefore we the Convention of eſtates vnderſubſcryveand doe heirby grant the recept of the ſaid ſoume of fiftie thouſand merkis from the ſaid Generall of artellerie And declares the ſamine to be ane publict debt dew by the eſtates of this Kingdome And accordinglie doe bind and obleis ws and our ſucceſſoris the eſtates of this realme p̃tt and to come To thankfullie content and pay to the ſaid Colonell Alexander Hamiltoun generall of the artellerie his aires exe^rs^ or aſſigneyes the ſaid ſoume of fiftie thouſand merkis money foreſaid betuix the date heirof and the feiſt and terme of witſonday nixtocome in the yeere of god J^m vj^c^ fourtie foure yeeres Togidder with the ſoume of tua thouſand merkis money foreſaid as for the ãrent of the ſaid ſoume fra the ſaid terme of martimes laſt that the ſamyne wes borrouit to the ſaid terme of witſonday nixtocome that the ſamyne ſould be payed But langer dclay Togidder alſo with the ordinar ãrent of the ſaid prin^ll^ ſoume yeerelie termelie and continuallie therefter Ay and ſo lang as the ſamyne ſall remaine vnpayed efter the ſaid terme aſweele be vertew of this p̃nt act they not being infeft and ſeaſit as infeft and ſeaſit in the ſaid ãrent and not entered as entered thereto Bot prejudice alwayes of ſic action and execution as may follow heiron for payment of the ſaid prin^ll^ ſoume and ãrent thereof foreſaid at anie tyme efter the ſaid terme of payment be bygane Bot premonition or requiſition Notwithſtanding of the foreſaid clauſ and condition of anwell paying

Argyls troupe

FORSAMEKLE as Archibald Marques of Argile is appoynted to goe alongis with the armie as preſident of that cõmittee of Eſtates that goes theirwith And whereas it is fitting that there ſould be ſome companies of horſe readie to attend the Comittie and his lordſhip and that a compleit allowance be appoynted to thame Theirfore the Convention doeth declaire that what ever gentlemen or otheris will willinglie furniſhe and provyde themſelves with horſe and armes and attend the ſervice foreſaid they ſall have pay conforme to the reſt of the horſemen in the armie And their foote men haveing ſhap gunnes and ſuordis ſall have the pay of foote ſouldiers

Act anent transport of Victual

FORSAMEKLE as the Convention of eſtates of this Kingdome Considering how neceſſar it is that all meanes be vſed for provydeing of victuall for mantenance of the armies in England or Ireland and proviſion of the Kingdome within And the prejudice lyke to enſew throw the avaritious diſpoſition of ſome privat perſons who for their awne advantage doe daylie tranſport all manner of victuall out of this Kingdome if the ſame be not prevented be a generall reſtraint They doe theirfor ordane herauldis and meſſingeris of armes To pas to the mercat croce of Edinburgh and otheris places neidfull And there be oppen proclamation To cõmand charge and inhibite All his mãties ſubjectis of what ranke and qualitie ſoever That nane of them preſoome nor tak vpon hand efter the date heirof To tranſport out of the Kingdome anie maner of victuall wheat beare oatis meale or ry without ſpẽall licence frome the cõmittee of Eſtates Wnder the pane of confiſcation of the ſaid victuall and ſhips carieing the ſame if they can be had And faillieing thereof vnder the paine of confiſcation of the moveable of the tranſporteris and maiſteris or awneris of the ſhipes tranſporting the ſame And ſuche farder puniſhment As the Comittie ſall think fitting Comanding heirby all mãgrats to brugh and land and all To make diligent tryell and ſtoppe of all ſhips barkes or boatis tranſporting

anie victuall embarked or to be embarked without licence as ſaid is as they will be anſwrable vpon the duetie of their lyves

Act anent presentation of ministers

THE Convention of eſtates haveing this day receaveit ane act of the cõmiſſioneris of the gñall aſſemblie for planting of kirks of his mãteis patronage dureing the tyme of theſe troubles preſented vnto them by maiſter Robert Douglas moderator and maiſter Androw Ramſay And haveing conſidered the ſamyne and the recõmendation theirin conteined for provydeing ſome way by authoritie of this Convention for ſetleing and poſſeſſing the Intrants in the ſtipendis and benefites belonging to theſe kirkes And finding no way ſo fitt for that end and for preſerveing the right and poſſeſſion of the patronages to his mãtie Then that in this tyme of trouble preſentationes paſſe his mãties caſhett and privie ſeale q^{lk} is alyke and is heirby declaired to be of as great force and authoritie as if the ſamyne had paſt his mãties royall handis Therefore gives heirby warrand and cõmand to the cõmiſſioneris of the theſaurerie or anie one of them to recive preſentations frome preſbyteries to all kirkes of his mãties patronages vaikeing or q^{lk} heirefter ſall vaike dureing theſe troubles And to ſigne the ſamyne And ordaines the ſamyne ſua ſigned to paſſe his mãties caſhett and ꝑfter the privie ſeale And that all lr̃es and exe^{lls} neceſſar be direct therevpon And recõmendis to the cõmiſſioneris of the kirk to intimat this to preſbyteries That they making choiſe of fitt and weele qualified men by conſent of paroches the preſentationes vnto the vaiking kirks of his ma: patronage dureing theſe troubles may be paſſed in the manner aforeſaid Q'vpon the intrants may obtein all lr̃es and exẽlls neceſſar q^{lk} way the eſtates thinkis agreeable to the deſyre and intention of the cõmiſſioneris of the aſſemblie

Declaration of both kingdomes

THE declaration of the Kingdome of Scotland and England joyned in armes for the vindication and defence of their Religion Liberteis and lawes againſt the popiſhe prelaticall and malignant pairtie

BY the Honorable Convention of eſtates of the Kingdome of Scotland and the honorable houſe of the parliament of England &c in the yeir 1644:

IF either chriſtian duetie which by reaſon of the light of the Goſpell ſo cleirlie ſhyneing amongeſt ws might have beene expected frome the profeſſoris of Religion Or if naturall affection which even in the heathen and Infidells ignorant of chriſt hath abounded toward their native Countrey or ſincere reſpect to his mãtie honour and happines Could have beene found in the wayes or heartis of our cõmoun enemies [the enemies] of trueth and peace If they had either feared god or regarded men or yeelded to our importunities We had not efter ſo manie petitions declarations and remonſtrances As have filled all mens eares and handis Bene putt to this neceſſitie of a new declaration Which theirfore muſt be more pathetick and preſſing then anie of the former Nor efter ſo manie troubles and ſufferings of the Kingdome of Scotland efter the deſolation of the Kingdome of Ireland and efter ſo much blood and ſo manie vnnaturall tragedies in the Kingdome of England had we beene reduced to this pñt condition and joynt poſture of armes The lord whoſe counſells are a great deepth and who is righteous in all his wayes and holie in all his workes hath juſt caus of controverſie againſt ws and this whole Iland But who would have beleeved that our Religion liberteis and Lawes which for ſo long a tyme have endured oppoſition and aſſaultes of forrane power envying our happines Would have been oppoſed oppreſſed and trode vnder foote by the craft and crueltie of our owne natives and Countreymen

IN this our extremitie firſt of all we declaire that we place not our confidence in our owne counſells and ſtrenth bot our confidence is in god almightie The lord of hoſtes who will not leave nor foreſake his people It is his owne trueth and cauſe that we mantein with all the Reformed Churches And which hath beene witneſſed and ſealled by the teſtimoney ſufferings and blood of ſo manie confeſſoris and martyres againſt the hereſy ſuperſtition and tirranie of Antichriſt The glorie of his own name the exaltac̃ne of the Kingdome of his ſoune And the preſervation of his churche and of this whole Iland frome vtter ruine [and devaſtation] is our ayme and the end which we have before our eyes His Covenant we have in both nations ſolemnlie ſuorne and ſub^{t} which he would not have putt in our heartis to doe if he had beene pleaſed to deſtroy ws The manie prayeris and ſupplications which theſe manie yeeres paſt bot eſpẽallie of late have beene offered vp with faſting and humiliation and with ſtrong crying and teares vnto him that is able to delyver and ſave ws Are a ſeed which promiſe vnto ws a plentifull harveſt of comfort and happines And the apoſtacy atheiſme [Idolatrie] blaſphemie profainnes crueltie exceſſe and oppen mocking of all godlines and honeſtie have filled the cupp of our adverſaries to the brime and threatten their ſpeedie and fearefull diſtruction Wnles it be prevented by ſuche extraordinarie repentance as ſeemeth not yett to have entered into their heartis Wpon theſe and the lyke grounds and conſiderations being confident that this warre wherein both nations now firmelie vnited are ſo deeplie ingadged is of god We reſolve with courage and conſtancie vnto the end to doe our pairt And the lord who hath ſtired vp our ſpirittis diſpleyed his banner before ws and given the alarum doe that which ſeemeth him good

SECONDLIE although everie man is to hope for the priñ" reward of his ſervice frome God who rewardis everie on according to his workis yett we find our ſelffis bund in conſcience and equitie to declare that beſyde theſe who have the publict faith ingadged to them for thair ſecuritie ſuche as ſince the beginning have done valiantlie and delt faithfullie in this cauſe And ſuch as have choiſen rather to ſuffer the ſpoyleing of their goodis then to affiſt the enemie Or to take armes againſt their Religion and Countrey And ſall continue conſtant in the ſame courſe of doeing or ſuffering vnto the end ſhall be according to their merites taken into publict notice and conſideration There loſſes (ſo farre as may be) repaired and themſelfes honored and rewarded by ſuche means and wayes as we truſt god in his providence ſall affoord and the parliamentis or eſtates of the tuo Kingdomes reẍiuely ſhall in their wiſdome juſtice and thankfulnes iudge moſt convenient So that no man who hath beene eminent in action or hath ſuffered anie notable loſſe for the publict ſall be neglected or ſlighted bot one way or other ſhall be thankfullie remembred to his owne honour and the good of his poſteritie

THRIDLIE although newtrallitie and indifferencie in the tyme of the danger of Religion be a thing deteſtable to god who willeth all chriſtians earneſtlie to contend for the faith And ſuche as have beene newtralls or indifferent in the tymes of civill diviſions and danger of the cõmon wealth have beene in all nations ſeverly puniſhed as pernitious and publict enemies yett that the conſciences of all men may be the more convinced And all pretextis removed We give now publict warneing to ſuche perſons to reſt no longer vpon their newtrallitie or to pleaſe themſelves with the nauchtie and ſlothfull pretence of indifferencie / Bot that they addres themſelffis ſpeedily to tak the Covenant and joyne with all their power in the defence of this cauſe againſt the cõmon enemie And by their zeale and forwardnes heirefter to mak vp what hath beene wanting through their lukwarmnes This they will find to be their greateſt wiſdome and ſaiftie otherwayes We doe declaire them to be publict enemies to the Religion and Countrey And that they are to be cenſured and puniſhed as profeſſed adverſaries and malignantis

FOURTHLIE becaus a great manie of the multitude of the people vpon ignorant miſtakingis falſe informations And threattis or compulſion aganis their willis and inclinations have beene induced or conſtrained to joyne in armes with the enemies aganis their Religion and native countrey We doe declaire that all cõmoun ſouldieris who vpon the humble acknowledgement of their former erroris ſhall offer themſelffis willinglie and ſpeedilie to take the Covenant And ſall joyne heartilie and reallie in the defence of this caus as becometh good chriſtians and loveris of their countrey ſall be frielie accepted into the covenant and their former erroris paſſed by Otherwayes let them expect the puniſhment of wilfull delinquents and malignants

FYFTLIE becaus ſome of the ſcottiſhe nation vpon their owne privat reſpectis or vpoun ſpecious pretences and faire perſuaſiones have joyned themſelfes in armes with the popiſhe prelaticall and malignant pairtie againſt the parliament and Kingdome of England and not conſidering the nature of the caus in which they have beene engadged nor the deep intereſt of the Churche and Kingdome of Scotland vpon which this warre was to turne in the end have beene fighting againſt their owne Religion and native Kingdome We doe therefore againe warne all ſuche of whatſoever qualitie and in q'ſoever place ſpeedielie to withdraw themſelffes frome that factione to confeſſe there miſtaks and to joyne in the covenant and caus of god in both Kingdomes before the [firſt] day of [march nixt] Otherwayes we declaire on the behalfe of the Kingdome of England that they are to expect no favour bot are to be vſed as deſperat malignantis And we declaire in the behalfe of the kingdome of Scotland if they either continue in armes efter the foreſaid [firſt] day of [march] Or withhold their helpe and affiſtance from their native countrey in this tyme of trouble and danger they are to be cenfured and puniſhed as publict enemies to their Religion and countrey perfidious tranſgreſſoris of their nationall Covenant and their eſtates diſpoſed vpon for the vſe of the publict

SIXTLIE becaus there be diverſe noblemen knightis gentilmen citizens and otheris who by forſakeing or diſerting the parliam' of England and by joyneing them ſelffes to the enemies of Religion his mãties happines and peace of the Kingdomes have made the diviſion greatter and the breaches wyder betuix the king and his parliament And thereby contrarie to the dewtie of their places and callingis have beene the caus of the ſheding of muche innocent blood of great loſſes and of manie miſeries and dangeris to the publict of both Kingdomes And of the ſufferingis of privat men in their eſtates and lives and yet are not to be rekoned amongs the prime authoris of this vnnatural warre nor amongs the malicious and deſperat enemies of their Religion and countrey We doe declaire that all ſuche forſakeing their former oppoſition returneing to their dewtie and endeavouring the good of Religion and the publict peace Shall as to their lyues and liberties of their perſons be ſecured and ſhall be receaved into favor bot to the end that a juſt difference may be made betuix ſuche perſons returneing ſo late to their dewtie and thoſe that never depairted frome it They moſt expect that toward the payment of the publict debtis releeveing

the cõmon burdens of the Kingdomes and repaireing of particular loſſes all which in great part have beene contracted and ſufteened by their default or procurement their eſtates in ſome proportion ſhould be lyable and that as the wiſdome and diſcretion of the parliament or of ſuche as ſall be authorized be them who will be als carefull to prevent their ruine as to puniſhe their delinquencies ſhall find and Judge to be neceſſarie for that end q'in alſo the tyme of their returneing and offering themſelves the realitie of their affections and intentions and readines to joyne with the cõmoun cauſe and covenant will be taken into ſpẽall conſideration And incaice they perſiſt in thair oppoſition and ſall not returne before the [firſt] day of [march nixt] They are not to expect favour bot ſhall be puniſhed as publict enemis to their Religion and Countrey

SEVENTHLIE becaus papiſtis and popiſhe Recuſantis According to the principalls of their profeſſiones have ever beene plotting and contryveing the change of Religion in this Iland and the ruine of all the profeſſoris theirof And efter the fruſtration of their attemptis haveing waited for ſuche a tyme as this have alienated the heart of the kingis mãtie frome his proteſtant and loyal ſubjectis taken armes againſt the parliament and Kingdome And by all their meanes and power have mantained a bloodie and vnnaturall warre preſumeing in the end to have their execrable ſuperſtitione and Idolatrie ſett vp in the place of the true reformed Religion and the king and his kingdomes to be brought vnder the power and tirranie of the pope We doe heirby declaire that [all ſuch] papiſtis [and popiſh Recuſants] who have beene now are or ſhall be actuallie in armes vnder the fals pretence of defending of the kings perſon and auctie Are to looke for no favour bot to be puniſhed as trators and profeſſed and intollerable enemies of Religion and their native Countrey The ſame declaration we alſo make againſt all ſuch Iriſh rebellis whither papiſtis or otheris who have come over frome Ireland and aſſiſted in this warre againſt the parliam̃t and Kingdome of England

AND laſtlie becaus there be ſome few wicked and deviliſhe ſpiritis of both kingdomes who have kindled and fomented the fyre of diviſion and warre betuix the king and his parliam̃t or have miſgoverned his mãties counſells and courſes to his owne diſhonour and to the diſtruction of his loveing and dewtifull ſubjectis or have infuſed malignitie in otheris or have beene reſtles and active inſtruments of the troubles and miſeries of his mãties dominions

WE doe declaire Concerneing thoſe who are or ſalbe found by the ſupreeme judicatories of the Kingdomes reẽiue or their cõmittees appoynted for that effect to be ſuch that as the conſcience of there owne bad deſerveings hath made them to diſpare of favour and theirby vnceſſantlie to work more and more miſcheife againſt their Religion and native Countrey ſo are they to looke for ſuche execution of juſtice as is dew to tratoris and enemies of Religion of the King and his Kingdomes for terror and example to otheris in all tyme to come

AND it is further now declaired that the whole eſtates reall and perſonall moveable and inheritance of theſe that ſall not come in at the tymes before limitted in the 6th article and of the perſons before excepted frome pardoun As of papiſtis in armes Iriſhe rebells And thoſe who ſalbe fund to come within the compaſſe of the precedent article ſall be foirfited and Employed for paying the publict debtis Releaveing the cõmoun burdens of the Kingdomes and repaireing of particular loſſ

AND this declaration we make not frome anie preſumption or vaine glorying in the ſtrenth of our armies and forces bot frome the ſence of that dewtie which is requyred and expected from the high places and publict relationes wheirin we ſtand And frome the aſſureance we have of the aſſiſtance of God By whoſe providence the truſt and [safety] of thoſe Kingdomes is putt into our handis at this tyme Haveing efter long and grave conſultation Reſolved and decreed never to lay doune Armes till trueth and peace by the bleſſing of God be Setled in this Iland vpon a firme foundation for the preſent and future generations which ſhall be eſteemed of ws ane Aboundant reward of all that we can doe or ſuffer in this Cauſe

Act in favors of Adam Whyte

THE Convention of Eſtates haveing heard the petition given in to them be Adam Whyt and Gawin pettcairne merchantis in Glaſgow complaining that vpon the tuentie ſeven of November laſt Sr Harie ſtridling governour of Carlile Williame Acheſon Major Edvard dick ſreffe Johne Gibſone and Johne keaps captaines there tooke frome them as they were comeing frome England ſome great packes tua farthells with tua horſe with 200 lib ſterline and tuentie pund ſterline of moneyes And left them nothing And haveing heard the depoſitions of witneſſ produced be the ſds complenneris whereby they proved the taking of the ſupplicants and their ſaidis goodis And that the ſame are ſtill keeped be the ſaid governour and otheris forſds Therefore the lordis and cõmiſſioneris of the ſaid Convention gives warrant be thir pñts to all judges and maġrats to bruch [or to] land to caus arreiſt anie goodis being within this Kingdome perteining to the ſaid governour of carlile the ſaid ſreff major and captaines foreſds or anie otheris the inhabitantis of Carlile to be made furth comand and repeyment vnder arreiſtment for ſatiſfaction of the complenneris goodis and loſſes ſufteaned as is aforeſaid

THE Convention of Eſtats Recõmends to the Comiſsis of the theſaurie & lords of Excheker To give out Cõmiſsions for uplifting the rents of ſuche excomunicat perſons As ſall be given vp to thame be [the] advocat or agent of the Kirk

ED^{R} 8 Januar 1644

Chan^{r}	Yester	Wareſton	Buchannan
Gñal	Borthuik	Humbie	Denmylne
Argyl	Elphinston	Wauchton	
Glencairne	Balmerino	Brodie	Aberden
Dumfermline	Burley	Inchbrakie	Perthe
Lauderdail	Forrester	Libberton	Glaſgow
Weemes	Kirkcudbright	Kemnay	Irwin
Hartfell	Elibank	Belstans	

Warrant to the gñall to goe to the Armie

THE Convention of eſtates thinkis fitt and accordinglie Recõmendis to the Lord Gñall and cõmittie that goes with the armie To repaire with all poſſible ſpeed to the borderis and to take ſuche courſe for diſpoſall of the armie in haill or in pairt As they ſall thinke fitt for the good thereof and peace of this Kingdome and in proſecution of the treattie betuix the Kingdomes And in the meane tyme till the committee goe thither Recõmendis the care heirof to the Lord gñall his excellence

Cõmittee to provyde victuall for the Armie

THE WHILK DAY Sr Adame Hepburne of Humbie theſaurer of the armie declaired in pñs of the eſtates that in the charge cõmitted to him for provydeing for the armie / his care had ſtill beene for keeping this Kingdome frome ane artificiall dearth and that he might provyd victuall at the cheapeſt rates he could Bot now finding that there is not ſufficient proviſion alreadie made and that he cannot find victuall bot at extraordinar pryces did therefore deſyre that ſome perſons might be adjoyned with him to thinke vpon the beſt wayes how the armie may be provydeit with victuall and what ſall be the proportion and pryces thereof qlk deſyre being conſidered be the Eſtates They doe adjoyne the Lord forreſter Elibank Waughtoun denmylne Kemnay and P of harden To meitt with him and conſult and ſett doune the beſt way for the particularis abovewritten

Advocats & agent for the State

THE QLK DAY the Convention of Eſtates admitted Maiſter Thomas Nicolſone to be ordinar procutor for the eſtates and m^{r} Robert Dalgleis to be agent And when they ſall have occaſion of conſultations they thinke fitt that the Lord Advocat Sr Thomas Nicolſone maiſter James Baird M Roger Mowat Alexander perſone and maiſter Androw Ker be imployed theirin

Belſtane governor of Berwick

THE Convention of Eſtates Nominates and appoyntis Colonell James Lindeſay of belſtane To be governour of Berwick And Recomendis to the Comittie of eſtates that gois with the Armie To thinke vpon and ſett doune the particular way and condition q^{r}in he ſhall be employed in that ſrvice

Cõmiſsion to Job warde to be colonel

FORSAMEKLE as Job ward Eſquyre in the Countie of Wicklow in Ireland hes beene ane humble ſuitor that he may have libertie vpon his owne expenſ^{s} to levey ane regiment of foote to be employed in the publict ſrvice of this Kingdome And the eſtates pñtlie conveened conſidering that the ſaid regiment being vplifted may be vſefull to this Kingdome in the preſent expedition did therefore appoynt the ſaid Job ward to be Colonell of the ſame Giveand grantand and cõmittand to him the ſaid place and office with the priviledges belonging theirto With power to him and his officeris to levey the ſaid regiment conſiſting of ten companies and eache companie of 120 ſouldiers where ever he may convenientlie have the ſame And for this effect to touck drumes diſplay culloris appoynt his vnder officeris And to doe everie thing els toward the vplifting leading conducting and Governeing of the ſaid regiment qlks are requiſite and according to the Articles of militarie diſcipline And direction of the Lord Generall his excellence Comanding maĝrats to aſſiſt him in the execution heirof As they will be anſ^{r}able

ED^{R} 9 Jan^{r} 1644

Chan^{r}	Yester	Buchannan	Irwin
Argyle	Burghlie	Brigton	
Glencairne	Elphinston	Denmylne	
Dumfermlin	Borthuik	Perth	
Lauderdail	Humbie		
Lindſay	Wareſton	Aberden	
Weemes	Kemnay	Glaſgow	

E. of callender admitted on the comittee

THE Convention of Eſtats Adioyns the earle of Callander to the Cõmittee of Eſtats And appoynts him to be reſsaved & Admitted as ane of that nomber

Act anent the putting out of the Horſe in fyffe

THE convention haveing hard that be ſome difference in the ſhyre of fyffe betuix the barrons & borrowis anent the putting out of thair horſe / there is ȝit 21 of the number of ȝ^{r} horſe not ȝit put out And the Convention being careful To ſhune all occaſion of difference betuix thame at this tyme Have thought fit for the interim vntill it be decydit who ought to bring out thir men That the charge of Leveying thir 21 horſemen be layed vpon the Lord Balcarres And for ȝ^{t} effect & in reſpect of the ſhortnes of tyme Ordans the Collector of the ſhyre

of Fyffe To delyver to the Lord Balcarres or anie haveing his warrand the ſoume of tua hundreth merks ſcots for levey money of everie one of theſe horſe out of the firſt end of the Loan And in the meane tyme that the Lord Balcarres Bring to the randevous the reſt of the horſe þ^t are in reddines

THE Convention recõmends to the earle of Hartfel / To have a ſpẽall care in preſerveing the peace of þ^t countrey w^th^in the bounds of the ſtuartrie of Annandail As colonel of theſe bounds

THE Convention of Eſtats haveing red & Conſidered the oath vnderwritten They doe Approve þ^t of As fitting to be taken be all members of the Comittee of Eſtats And all general officeres / & Colonells of the Armie And accordingly ordans the ſame to be taken & ſworne be them all Q^t of the tenor followeth

The oath of the officeris of the Armie

WE memberis of the Comittee of Eſtates and generall officeris and colonells of the Armie vnderſubſcryveand All of ws and each one of ws for ourſelfe with our handis lifted vp to the moſt hie god Doe promiſe and ſweare to be true and faithfull in this ſervice according to the ſolemne league and Covenant of the three Kingdomes And reallie to follow and promove be all lawfull meanes according to our ſeverall places and callingis ſuche reſolutiones and directions as are or ſalbe agreed and concludit mutuallie betueene thir tuo Kingdomes Or the Comittee of this or both Kingdomes appoynted for that effect in purſuance of the Covenant Never to ſuffer our ſelfes directlie nor indirectlie be q^t ſomever combination perſuaſion or terror to be divydit or withdrawen therefra Nor to caſt in anie let or impediment which may ſtay or hinder ſuch reſolutions as by cõmoun conſent ſall be fund to conduce for ſo good ends Never to enter into anie privat entercourſe and treattie nor to mak to nor accept frome the court or anie in name theirof or of anie of our profeſſed adverſars Of privat offeres conditions promiſes or aſſureances without the knowledge and conſent of the Comittees of this or both Kingdomes Never to mak nor countenance anie factions or mutinous counſellis and courſes bot reallie to endevour to ſuppreſſe or reveall them and all diviſive and dangerous motions that they may be tymeouſlie obviatted Never to leave the defence of this caus Bot ſincerlie and conſtantlie with godis aſſiſtance to doe everie duetie belonging to our place and calling / and vndergoe everie trouble and danger incident theirto to our vtmoſt All which we ſall doe as in the ſicht of god the ſearcher of heartis and vnder the paine of his everlaſting wrath and of infamie and loſſe of all honour and reſpect in this world

Cõmiſsion to the Lord Chancellor

WHEAREAS this kingdome (efter all other meanes of ſupplicationes remonſtrances and ſending of cõmiſſioners to his Ma / have beene vſed without ſucceſſe) is entered into a ſolemne league and Covenant with the Kingdome and parliament of England for reforma^tne and defence of Religion the honour and happines of the King and the peace and ſaiftie of the three Kingdomes of Scotland England and Ireland and ane treattie agreed on and ane armie raiſed and ſent out of this kingdome for theſe endis And the eſtates of this Kingdome preſentlie conveened Being ſtill deſyrous to vſe all good and lawfull meanes that trueth and peace may be eſtabliſhed in all his Ma · dominions And that without the effuſion of more blood there may be ſuche a bleſſed Pacification betuix his Mãtie and his ſubjeetis as may ſerve moſt for his Ma : true honour and the ſaiftie and happines of his people They doe theirfore give full power and cõmiſſion expreſſe bidding and charge to Johne earle of Loudoun Lord heich Chan^r of this Kingdome Johne Lord Maitland now in England / Sr Archibald Johneſton of Wareſton and maiſter Robert Barclay To repair with all diligence to the Kingdome of England and with power to them or anie tua of them To endevor the effectuatting of the foreſaidis endis And all ſuche other matteris concerneing the good of both Kingdomes As are or ſhall be frome tyme to tyme cõmitted vnto them be the eſtates of this Kingdome or cõmittees thereof according to the inſtruetions given or to be given them firme and ſtable holding and for to hold all and whatſomever thingis they ſall doe conforme thereto

INSTRUCTIONS from the Convention of Eſtates to Johne earle of Loudoun Lord heigh chan^r of this Kingdome Johne Lord Maitland Sr Archibald Jo^n^ſtoun of Wareſton and Mr Robert Barclay or anie tua of thame

1. YE ſhall labour by all meanes with the parliament and their cõmittees that the covenant may be ſuorne and ſub^t throughout the whole Kingdomes of England and Ireland

2. YOW ſhall concurre with and aſſiſt the cõmiſſioners of the kirk for bringing the churches within thir Kingdomes to the neireſt vnitie and conformitie in Religion and churche governement and for extirpation of poperie prelacie ſuperſtition ſhiſme herefie and profaines as is expreſt in the covenant

SEING both Kingdomes are now Joyned in one cõmoun cauſe and covenant and their faiftie conſiſtis vnder God in their joynt counſells and endevors ye ſhall aſſure in name of this kingdome our conſtant reſolution with our lyfes and fortunes to ſtand to the defence theirof And as our taking

of armes is for the eſtabliſheing of religion and libertie in both nations So ſhall yow ſignifie that theſe being obteined it is ſtill our earneſt deſire That by the joynt advice of both Kingdomes all good meanes may be vſed for procureing ſuche a happie pacification betuix his mãtie and his people as may ſrve moſt for the glorie of god his mãties true honour and their proſperitie And for the better effecting heirof ye ſhall by all meanes ſtrenthen the happie begune vnion and intertein the mutuall confidence and correſpondence betuix the Kingdoms betuix their cõmittees and betuix their armies And to prevent all jealouſies and miſtakes which may aryſe through their miſapprehenſion or the ſuggeſtion of our cõmoun adverſaries And to this end yow ſall encurage the heartis of the weele affected / and by your advice endeavour to prevent or remove anie overtoures or motions frome enemies or newtralls to the prejudice of the Covenant or treattie and cõmoun cauſe of both Kingdomes

3. YOW ſhall by all meanes endeavour to haiſten doun to the Armie the money alreadie due or what ſall become due frome tyme to tyme according to the treattie

4. YOW ſhall advyſe and direct Thomas Cuninghame and Johne Johneſton in giveing of the publict faith of this Kingdome for the moneyes victuall and other neceſſar proviſion whilk they ſall receive and ſend doune to the Armie

5. YOW ſhall doe your vttermoſt endeavoris to procure the tymeous accompliſhement of the propoſitions ſent vp vnto the parl[t] frome both cõmittees concerneing our armie in Ireland and the payment of the billis of exchange that hes followed theirvpon

6. YOW ſhall delyver the declaration agreed on heir to be emitted in the name of both Kingdomes and condiſcended to the publiſheing theirof except their be materiall alterations theirof made prejudiciall to the intereſt of this Kingdome And ye ſhall advyſe and conſult with our brethren what further may be neceſſarie to goe frome both Kingdomes for information and correſpondence with other nations and draw the ſame vp with anie other propoſitions ſhall be thought neceſſarie for the mantenance of our armie in England Or for remonſtrances declarations or petitions to the Kings mãtie and anſrs to declarations or propoſitions ſent from his mãtie concerneing the preſent troubles to be preſented vnto and agreed vpon by the houſes of parliament in England and the cõmittees of the Eſtates of Scotland Without whois particular warrand ye ſhall conclude nothing

7. YOW ſhall be carefull to effectuat the particular deſyres and inſtructions that ſhall be ſent to yow frome either of the cõmittees at Edinburgh or the armie And to ſend bak to them frequent advertiſementis of all your proceedings and of all concurrences that may concerne the cauſe And that both by ſea and land

8. YOW ſhall make knowen how ſenſible this Kingdome is of the ſufferingis of the earle of Lothian who wes be his mãties warrand imployed in the publict ſrvice of this Kingdome And endeavor be all good meanes for his releaſement that he may returne with freedome and ſaiftie to this Kingdome

Act anent Wauchtons regiment

THE Convention of eſtates haveing heard and conſidered the petitions given in be Sr Patrik Hepburne of wauchtoun proporting that the ſaid Convention wes pleaſed to nominat him or his eldeſt ſone colonell of the regiment appoynted to come out of the ſrefdome of Edinburgh And that the cõmittie of warre of the ſaid ſrefdome did appoynt his ſecond ſone rootemaiſter of one of the troups to come out of that ſhyre And becaus vpon ſome particular occaſions there is no appearance of putting vp a compleit regiment or troupe Therefore deſyreing themſelves to be diſcharged of this imployment and the ſame to be impoſed vpon another And they will goe furth as privat men to attend the gñall for witneſſing their affection to the caus The eſtates being weele adviſed with the ſaid ſupplication doe acknowledge the diligence and faithfullnes of the ſaid Sr Patrick in his former imploymentis of this Kynd And doe expect and requyre the continuance thereof and recõmend to the Lord gñal when the armie ſall be brought togither to take ſome courſe ſo farre as may be that the ſaid Sr Patrik his regiment may be made compleit vp Conforme to the number of which it wes appoynted firſt to conſiſt

ED[R] xi Januar 1644

Chan[r]	Burlie	Dawick
Argyl	Forrester	Kemnay
Glencairne	Wareston	Perth
Caſsills	Humbie	Iruin
Dumfermline	Brigton	Glaſgow
Lindsay	Libberton	Aberden
Weemes	Inchbraikie	Couper
Callander	Denmylne	

THE Convention Recõmendis to the cõmittie of eſtates to take ſuche courſe for modifieing of ſome allowance out of the earle of Kinnoullis eſtate for mantenance of his Ladie and children and paying of his ãrents As be the gñall act of the convention is preſcryved

THE Convention ordaines the troup of horſe lying at Currie pariſhe To goe and aſſiſt george foulles of Ravelſtoun in taking vp of his men out of S^t^ cudbertis Pariſh and to putt the orders of the cõmittie to execution againſt the refuiſeris

Act anent mustors

THE Convention Ordaines that when ever anie of the regiments or anie pairt theirof ſhall be brought togidder to be muſtered That the muſteris theirof be receaved vpon the oath of the captaines or other officeris that ſall cõmand them for the tyme And being thus muſtered and ſent to their quarteris Recomendis to the Lord Chan^r^ or anie noblemen that is on the cõmittie To appoint ſome honeſt men in the pariſhes where they are to be quartered To take tryell if they be quartered conforme to the ſaid roll And to report vpon oath a particular accompt of the roll of their quarteris and the tyme of their ſeverall entries thereto that they may be payed conforme And this forme to ſtand ay and while the cõmittie that gois with the armie and Generall officeris meit and thinke vpon ſome ſolide courſe for muſtering of the Armie

Reference to the Comittee anent the Excyse

THE Convention of eſtates Conſidering the great neceſſitie of the ſcotis armie in Ireland and how neceſſar it is that ſome meanes be preſentlie fund out for their ſubſiſtance and ſupplieing the armie now lifted in this Kingdome [And] that in reſpect of the preſent marcheing of the armie and other inconvenient occaſions they could not at this tyme determine vpon the ſame Bot have appointed a more frequent meiting of the eſtates to be heir for that purpoſe vpon the tuentie fyft of this moneth doe theirfore Recõmend to their care and wiſdome To reſolve vpon ſome juſt equall and ſolide way in the tyme of ſuche neceſſitie for ſupplie and entertaneing theſe armies Be way of exciſe or ſome ſuche other certaine way As they ſall thinke fitting And Recomendis to the Comittie of eſtates To be prepairing the ſame vntill the nixt meiting of eſtates

Modification of Allowance to the Commiſsioners

FORSAMEKLE as the Lord Chan^r^ Sr Archibald Johneſtoun of wareſtoun and maiſter Robert Barclay are imployed in a cõmiſſion frome the eſtates of this Kingdome to the Kingdome of England And it being neceſſar that there be ſome compleit allowance of expence modified to them in this their publict ſrvice As hes beene formerlie granted in caiſes of this Kynd Therefore the Convention hes modified and modifies fyve pund ſterline of daylie allowance to the Lord Chan^r^ fourtie ſhillingis ſterline to Sr Archibald Johneſtoun and tuo merkes ſterline to m^r^ Robert Barclay And for their extraordinarie charges and expenſ^s^ modifies thre hundreth punds ſterline to the Lord Chan^r^ Tuo hundreth merks ſterline to Sr Archibald Johneſtoune and 90 ^lib^ ſterline to maiſter Robert Barclay And ordaines the Lord Humbie gñall collector and his deputtis or Johne Johneſton and Thomas Cuninghame To pey the ſoumes above written Out of the firſt and readieſt of anie publict moneyes they have or ſall receave dew to this Kingdome

Act for bringeing the ſcots Armie out of Ireland

THE Convention of eſtates conſidering the hard condition and ſtraites the ſcotiſhe armie in Ireland has beene putt to this whole yeere bygane throw want of victuall and cloathes even to ſuſteene their nature and ſave them from the violence of the weather And how at laſt efter all the poſſible ſupplees ſent to them from this Kingdome to the great burden theirof and manie defyres and remonſtrances made to the houſ^s^ of the parliament of England (who ſtand engadged for their pay and mantenance) it wes agreed vnto by the engliſhe cõmiſſioneris in november laſt that they ſould furthwith provyde and ſend to Ireland for the vſe of that armie the ſoume of ten thouſand pund ſterline and als that betuix and the firſt of februar now approacheing there ſould be delyvered to them the ſoume of fiftie thouſand pund ſterline in pairt of payment of their bygane arreares All which they had formerlie promiſed to ſend to them And the eſtates of this Kingdome feareing that troubles in England might ſome what retard the tymeous ſending of this money and Knowing the extreeme neceſſitie of that armie could not admitt no delay they have beene carefull in provydeing cloathes and als ten thouſand bolls of meale q^lks^ are now on their way thither And being willing according to their intereſt and duetie to provyde ſome meanes and moneyes in the Interim for keeping ſo manie proteſtant ſubjectis fighting for religion from ſterveing and vtter ruine there occurred ſuch vnexpected rubbes and interruptions as the ſupplee intended could not be at this tyme effectuat / Yitt leaſt the ſaid armie (being diſappoynted of ſupplie from both handis) ſould be neceſſitat efter the ſaid firſt of februar to take ſome vnorderlie way for their owne ſubſiſtence The Convention hes thought fitt that ſhips barks and veſſells be provided for tranſporting of them to this Kingdome And for that effect gives full power and cõmiſſion to Generall Major Monro and remanent officeris of that armie to deale and bargane with all ſhips barkes and boats they can find for tranſporting the ſaid armie hors and foote And declaires that what ever ſall be due to the owneris maiſteres and ſkipperis of the ſaidis ſhips barkes or boatis for tranſporting them as ſaid is ſall be thankfullie and compleitlie payed be the eſtates of this Kingdome who doe heirby become debtoris for the ſame And if anie ſall refuſe to hire their boats or barks as ſaid is With power to the ſaid Generall Major and officeres to force and compell them and to preſſe their ſhips or boats vpon the conditions foreſaidis And for the

better effectuating heirof The eſtates gives full power and commiſſion to the earle of Glencairne the lairdis of Kilbirnie greenok and fairnie and majeſtratis of air and Irewing or ſuche otheris of whom the ſaidis officeris ſall frome tyme to tyme requiyre aſſiſtance To concurre and aſſiſt in provideing and preſſeing of ſhips barkes boats for the vſe and in maner above writtin And declaires that whatever ſall be the expenſſ of the officeris or otheris in tranſporting of this armie the ſame ſall be repeyed to them out of the firſt of anie ſupplees that ſall come frome England or ſall be provided in this Kingdome for that armie And that the eſtates doe become debttoris therefore And als will be carefull that when that armie ſall be tranſported they ſall be intertained in ſuche a way as the armie now lifted in this Kingdome Lykeas the Convention Recommendis to their committee of eſtates to be carefull in provideing for them accordinglie

Lre to the officers of the Armie in Ireland

Right Honorable

THE Convention of eſtates taking to their conſideration the extreeme neceſſities of the ſcottis armie in Ireland throw want of victuall and cloathes And being truelie ſenſible of their ſufferingis have beene ſtill preſſing the engliſhe cōmiſſioners for performeance of what they are obleidged vnto be the articles ſent to yow with our lre of the ſecond of december laſt And have beene moſt carefull in provideing the cloathes and victuall promiſed As your cōmiſſioneris who have beene moſt earneſt ſowtoris for yow and witneſſ to our proceedingis heirin can fullie informe yow And how ſeriouſlie we have beene goeing about the provideing of ſome preſent ſupplee of money if we had not rancountered with ſome vnexpected rubbes and interruptions Yitt leaſt heirby and be the parliament of Englandis not performeing of what they are obleidged yow ſhould think your ſelfes forgotten at all handis or ws wanting in anie thing that may witnes our tender care of that armie We have given order for pūt provideing of ſhips and barkes for your tranſport to this Kingdome efter the ſecond of februar nixt if betuix and that tyme yow receave not the money promiſed frome the kingdome of England And efter your tranſport ſuch courſe ſall be tane for provideing for yow as ſall be tane with the armie now lifted in this Kingdome

THE Convention of Eſtats Appoynts thair nixt meiting to be vpon the 25 of Januar nixt

CONVENTION OF ESTATS

ED^{R} 25 Januar 1644

Chan^{r}	fyffe	Denmylne	
Eglinton	Lithgow	Dundas	
Glencairne	Lanerick	Dalserfe	
Cassills	Dunbartan	Balvie	
Dumfermlin	Stirline	Buchannan	Carnok
Bucleuche	Berwick	Aiton	
Galloway	Clakmannan	Roſsyth	
Lauderdaill	Peebles	Dawick	
Weimes	Air	Rowallan	Corsbie
Callander	Kincardin	Halkerton	
Hartfell	Roxburgh	Sr Tho Ker	Ar^{d} douglas
Kenmure	Wigton	Andro Agnew	
Yester	Forfar	Brigton	ruthven
Elphinston	Aberdene	Kemnay	
Borthuick	Renfrew	Greenok	
Burlie	Selkirk	S^{r} W^{m} ſcot	
Forrester			
Loure /			
Barganie			
Elibank			

Burgeſſ.

Edinburgh	Robert Fleeming	Thomas Paterson
Perth	Alex^{r} Inglis	
Dundie	Robert Davidson	
Aberdene	Patrick Leslie	
Stirline	Thomas Bruce	
Lithgow	George Bel	
Air	John Kennedie	
Hadinton	John sleich	
Kirkcaldie	John W^{m}ſone	
Monrose	Andro Gray	
Couper	George Jameson	
Dumfreis	Jo: Jonston	
Inuerkeithing	Mark Kinglassie	
Kingorne	M Ro: Cunynghame	
Dumferlin	Wm Walker	
Anstruther W	Normand farefoul	
Selkirk	Thomas scot	
Dumbar	Robert iakson	
Dunbartan	John semple	
Arbroth	John ochterlonie	
Crail	James Moncreiff	
Culros	M Robert Gourlay	
Northberwik	Geo: Home	
Lauder	Alex^{r} Wilkiesone	
Queinſferrie	James Dauline	

ED^{R} 26 Jan^{r} 1644

Act anent Excyse

FORSAMEIKLE as the eſtates of this Kingdome Conſidering that be the Covenant [they] are bund in conſcience duetie and for their owne ſaiftie To con-

tribut their beſt meanes for ſupplieing of the armies ſent to England and Ireland for preſervation of religion his Mãties honour and peace of the Kingdome Doe theirfore find it neceſſar that a preſent courſe be reſolved vpon to be a ſolide fundation for a ſtocke of credit q'vpon a preſent ſoume of money may be raiſed for a preſent ſupplie and future releiffe of theſe armies in caiſe of neceſſiteis And have all agreed that the moſt iuſt and equall way leaſt prejudiciall to the Kingdome and moſt beneficiall to the armies be condiſcendit And ſince the way of exciſe hes beene formerlie thought vpon in the Convention as the moſt equal and juſt way It is thought fitting that the ſeverall eſtates meit this night And either think on this way and expediencie theirof or otherwayes To propone a better way And to report their opinion the morne to the eſtates

EDINBURGH the 27 of Januarie 1644

Comittee anent the Excyse

THE Convention of eſtates Nominatis and appoyntis the earles of Glencairne Caſſillis Lauderdaill Burglie Loure Halkertoun Carnock Kemnay Greenock denmylne Ed^r dundie Aberd Glaſgow and Lithgow or anie nyne of them their being tua of each eſtate And the Chan^r to be ſupernumerarie To meit the morne at aucht houres And to conſider on the moſt juſt and equal way leaſt prejudiciall to the Kingdome and moſt ſure and beneficiall to the armies in England and Ireland for procureing of credit q'vpon a pũt ſoume of money may be raiſed for a preſent ſupplie of theſe armies and for their future releiffe incaice of neceſſitie And that be way of exciſe or be anie other better or more expedite way And to report their oppinion to the eſtates

Act anent the Quorum of the Cõmittees

THE ESTATES doe declaire that in the diviſion of the great Comittie to be in tuo Quorums one to be with the armie and another to remaine in this Kingdome The meaneing of the eſtats wes cumulative and not privative In ſo farre as anie on of the ſaidis tuo cõmitties Is notwithſtanding of this diviſion a member of both Comitties As he ſall have occaſion to be preſent And hes als free voice and place in either of the cõmitties As if he wer particularlie named

Precept to Hew Kennedie

FORSAMEKLE as the Comittie of eſtates haveing employed Hew Kennedie proveſt of air To hyre and furniſh ſome ſhips for carieing of foure thouſand bolls of meale to Ireland for the vſe of the ſcotis armie there And promiſed be their act to ſie the charges he ſould be putt to in keeping embarking and tranſporting the ſaid meale repayed to him And he haveing now given this accompt theiroff extending in all to elleventh hundreth threttie fyve punds ſcottis ſixteene ſhilline And the ſame being reviſed and ſufficientlie inſtructed before be the Convention And they finding it reaſonable that the ſame ſould be payed Theirfore the Convention of Eſtates Ordaines and Comandis the Lord Humbie and Williame Thomeſone his deputt To pey the ſaid ſoume of elleventh hundreth threttie fyve punds ſixteene ſhilline to the ſaid Hew Kennedie out of the readieſt publict moneyis being in his hand Q'anent thir pũts with the parteis recept ſall be their warrand

Act for chirurgians to the Armie

THE ESTATES Nominatis and appoyntis david Kennedie James Ker and Thomas Kincaid and Nehemiach Touche to be ſurgeons in the armie pũtlie ſent frome this Kingdome into England And that eache of them ſall have the charge of tuo regimentis joyned in one Brigad As they ſall be directed be the Lord Generall and Comittie with the armie for which ſrvice the eſtates modifies the ſoume of fyfteene pund ſterline to be preſentlie payed to eache one of them for furniſheing of thair Kiſt and fyve ſhilline ſterline of daylie allowance to eache ſurgeon and foure ſhilline to his tuo mates halfe a croune daylie for mantenance of tuo baggage horſe and three ſhilline daylie for mantenance of three ſadle horſe And that there be a moneths pay advanced for their outreike and furniſheing their horſes And ordaines W^am Thomſone To pey the ſaids 15 ^lb and monethes advance to eache of them

EDINBURGH the 30 of Januarie 1644

Precept to Hew Kennedie

FORSAMEKLE as Johne M^calmont vpon the elleventh of december 1642 obteined ane tickit of recept of ane hundreth threttein barrelles ry at aughteene ſhilling the bãrell frome George mure leivetenent colonell to the gñalls regiment in Ireland q^lk recept and bill wes accepted be Johne Campbell cõmiſſar deputt As his teſtificat vpon the tuentie fix of the ſaid moneth beires And whervnto Hew Kennedie late baillie of Air and Johne Kennedie his brother ar aſſignayes As the aſſignation ſhawin to the Convention of Eſtates beires And they haveing alſo ſeene the compt of the pryces of the ſaid ry with ane yeeres ãrent extending in all to ane thouſand three hundreth and ſeventein pundis auchteene ſhilline ſcottis fitted and cleired by their owne order And a teſtificat vnder the hand of Williame Thomſone cõmiſſar of the armie that they have not receaved payment thereof Therefore ordaneis the gñall collector of the loane and his deputtis To pay and delyver to the ſaid Hew and Johne Kennedies the ſaid ſoume of ane thouſand three hundreth and ſeventeene punds aughteene ſhilline ſcottis as for the pryce of the ſaid ry and ãrent foreſaid out of the firſt and readieſt of the loane moneyes not alreadie diſpoſed of be publiet warrand Q'anent thir pũts with the parteis recept ſall be their ſufficient warrand

Precept to George Jamesone

FORSAMEKLE as George Jameſone proveſt of Coupar by Contract made betuix the eſtates of this Kingdome and him of the fourth of August laſt Hes delyvered to Alexander Mure ordinar receaver of the ſcottis armie in Ireland The number of tuo thouſand ſix hundreth threttie ane bolls three furlottis ane peck meale for the vſe of the ſaid armie as the recept of alexander Mure receaver of the victuall of that armie beires for the q[lk] the eſtates are obleidged to pey ſixteene merkes for the boll with ſix hundreth auchtee pundis halfe m̃ke for a quarteris ãrent at candlemes nixt And the ſaidis eſtates haveing ſeene the compt of the pryces of the ſaid meale cleired and fitted by their owne warrant whereby it is found that their is due to the ſaid George for the quantitie of meale foreſaid tuentie aught thouſand thre[ſcore] tuelffe punds threttene ſhilline foure pennies with fyve hundreth three ſcore ane punds ſix ſhilline aught pennies for a quarters ãrent And finding it iuſt and reaſonable that he ſould be payed of the ſaid ſoume for the meale foreſaid Therefore the eſtates preſentlie conveened gives heirby warrand to the gñal collector of the loane and his deputtis To pay and delyver to the ſaid George Jameſone the ſaid ſoume of tuentie aught thouſand threeſcore tuelff punds thretteene ſhilline foure pennies with the ſaid ſoume of fyve hundreth threeſcore ane punds ſix ſhilline aught pennies for a quarteris ãrent for the meale foreſaid tranſported be him as ſaid is And that out of the firſt and readieſt of the loane money not alreadie diſpoſed of be publict warrant Q'anent thir p̃ts with the parteis not of recept ſall be their ſufficient warrand

Precept to Robert gordon

FORSAMEKLE as Robert Gordoun merchant in Air hes conforme to ane contract paſt betuix the eſtats of this Kingdome and him on the fourth of Auguſt laſt Tranſported and delyvered in Ireland for the vſe of the ſcottis armie there Nyne hundreth fourtie ane bolls tua furlottis three peckis of meale As the recept therof vnder the hand of Alexander Mure ordinar receaver for the ſaid armie beires As alſo the ſaid Robert gordoun and his partiner have tranſported and delyvered for the vſe of the ſaid armie Ane hundreth foure ſcore nyne barrells of beanes at the pryce of auchteene ſhilline ſterline the barrell As ane other not of recept p[r]of vnder the hand of the ſaid Alexander Mure beares And the eſtates confidering that be contract they are bund to pay to the ſaid Robert ſixteene merkes for eache boll of the ſaid meale at the terme of candlemes now enſueing Togither with nyne ſcore tuelffe punds for a quarteris ãrent of the ſame fra martimes laſt to this candlemes And finding it juſt and reaſonable That he ſould be tymeouſlie payed of the ſaids pryces of his meale and of the beanes tranſported be him as ſaid is And the compt of the haill being fitted be their warrand and extending in all To tuelff thouſand three hundreth and nyne punds tuelffe ſhilline ſcottis Theirfore the eſtates preſentlie conveened Gives heirby warrand and command To the gñall collector of the loane and his deputtis To pay and delyver to the ſaid Robert Gordoun and Johne ferguſone his partiner the ſaid ſoume of tuelfe thouſand [three hundreth and] nyne [punds] tuelfe ſhilline ſcottis for the pryce of victuall furniſhed be him as ſaid is And that out of the firſt and readieſt of the loane money not alreadie diſpoſed of be publict warrand Q'anent thir p̃ts with the parteis not of recept ſall be their ſufficient warrand

EDINBURGH the 30 of Januarie 1644

Act anent the Quorum of the Cõmittee

THE Convention of eſtates Conſidering that ſome occaſions may and oftymes occurre at the armie q[lks] will requyre ſome ſpeedie reſolution and cannot delay vntill a full nomber of their cõmittie be conveened for which purpoſe the eſtates declaires that when ever the quorum formerlie appoynted ſall not be p̃ſt It ſall be lawfull to anie ſeven of the haill nomber promiſcouſlie To determine vpon all materis that falls within the compas of their cõmiſſion

Sr Frederick hãmiltõn

THE eſtates taking to their conſideration the Valorous caradge of S[r] freiderick Hamiltoun againſt the rebells in Ireland thir tuo yeeres bygane With the loſſe he hes ſuſteened and extreemities he hes beene put to throw his conſtant and religious oppoſeing of the ſaidis rebells And finding this condition To deſ[r]ve ſp̃all conſideration Doe theirfore Recomend to the Comittie of eſtates / To tak ſuche Courſe heirin As his deſ[r]veings and conditions doeth requiyre

THE Eſtates appoynts the earle of Glencairne Lauderdaill Burlie Loure Elibank dundas greenock Halkertoun denmylne Kemnay Ed[r] Aberdein dundie Lithgow Bruntyland or anie ſeven being tuo of everie eſtate The Chan[r] being ſupernumerarie To conſider on the readieſt meanes of p̃ſt raiſeing of tuentie thouſand ſterline (q'of ten to be ſent to the armie in Ireland beſydes fyve thouſand bolls of meale to be bought and ſent to them with the other fyve thouſand bolls p̃ſtlie in leith and the other ten thouſand pundis to be employed for the vſe of the armie in Ingland) vpon publict or privat ſuretie and the warrandice theirof and to report

EDINBURGH the 31 of Januarie 1644

THE Convention of eſtates Ordaines this their act and ordinance for raiſeing of moneyes be way of exciſe to be furthwith printed and publiſhed at all the mercat croces and pariſhe Kirkes of this Kingdome Q'throw nane pretend ignorance of the ſame

AT EDINBURGH the 31 of [Januarie] 1644

EXCYSE

THE Convention of eſtates conſidering that this Kingdome haveing entered into a ſolemne league and Covenant for reformation and defence of religion the honour and happines of the Kingis mãtie and the peace and libertie of the Kingdoms of Scotland England and Ireland And in purſueance of theſe endis / being forced to levey ane armie to be ſent into England And that be the ſaid covenant they are bund in conſcience and duetie and for their owne ſaiftie To contribute their beſt endeavoris in provydeing of ſome meanes for preſervation of religion lawes and liberties frome vtter ruine ffor releefe of the neceſſiteis of the armie ſent frome this Kingdome for that purpoſe and for ſome ſupplie of the extreeme wantis of the ſcottis armie in Ireland And als remembring that the great burdens of this Kingdome / have hithertills lyne vpon the weele affected who did willinglie embrace the ſame / whills the malignantis were vſeing all cuning wayes both to frie themſelves and hinder otheris doe find it abſolutlie neceſſar that ſome conſtant juſt and equall way leaſt prejudiciall to the Kingdome and moſt beneficiall to the caus in hand / be reſolved vpon for ſetleing ane ſolide fundation of a ſtock of credit and ſecuritie q'vpon ſoumes of money may be raiſed for the preſent ſupplee and future releeffe of the neceſſities of theſe armies And efter ſerious deliberation have agreed that the ſame ſall be / be way of exciſe And accordinglie ſtatutes and Ordaines that the ſeverall rates theirwnto annexed ſall be layed on all and everie the cõmodities following over and above all cuſtoms and other dueties due and payable for the ſame And Recõmends to the Comittie of eſtates To take ſome courſe how this exciſe may moſt ſpeedielie and with leaſt trouble and expence to the Kingdome be vplifted throw the ſhyres and borrowes theirof

THE ROLL of the particular comodities ſubject in payment of exciſe And of the rates layed theiron

	lb	ß	d
ON everie pynt of ale and ſmale beire ſold to be payed be the brewer or maker theirof and to be allowed to him in the pryce / or which anie houskeeper breweth for his owne ſpending to be payed be everie ſuche hous Keeper	00	00	04
Beir or ale exported for proviſion of ſhips is to pay no exciſe			
One forrane imported beire everie pynt	00	01	00
One everie pynt of ſtrong beire to be peyed ficklyke be the brewer or houſkeeper	00	00	06
One everie pynt of frenche wyne alreadie imported or to be imported to be payed be the firſt buyer þof (the buyer being ane ventner) efter the ſale of the ſame provydeing it ſell before lambmes nixt or be the buyer for privat vſe imediatlie efter the buying	00	01	04
One everie pynt of ſpaniſhe wyne in likemaner	00	02	08
One everie pynt of aquavytie or ſtrong watteris ſold within the countrey	00	02	08
One everie pund of Tobacco	00	06	00
One everie ſlauchtered oxin bull or Kyne of ſixteene pund pryce or above to be payed be the Buyer or ſlayer	00	20	00
and one everie on of them vnder that pryce	00	13	04
One all oxen bulls or Kyne tranſported to be payed be the tranſporter for the peice	00	24	00
One all ſheepe ſlaughtered or tranſported at or above 40 ß pryce [to be] payed be the ſlayer or tranſporter	00	04	00
And vnder that pryce	00	02	00
One all ſlaughter ſtirkes of eight punds pryce or above	00	06	08
Sicklyke one everie ſuche ſtirke beneth that pryce	00	04	00
One all calffes or goatis of 40ß pryce the peece or above ſold for privat vſe	00	04	00
One each of them vnder that pryce	00	02	00
One all Swyne	00	06	00
One all Lambs and Kidis	00	02	00
One the merchandice of everie elne of ſilke ſtuffe frome fyve merkes value to ten to be payed be the buyer	00	06	08
One everie elne þ'off above ten merkes	00	10	00
One everie elne of pluſhe [or] pane velvet	00	20	00
One everie elne of ſatyne	00	13	04
One everie vnce of gold or ſilver lace	00	13	04
One everie elne of gold or ſilver cloath	03	00	00
One everie Bever hat	00	24	00
[On everie halfe Bever hat	00	12	00]
One everie paire of ſilk ſtockines	00	13	04
One everie elne of bread cloath not exceiding ſeven punds Retailled	00	06	00
One everie elne of cloath exceeding that pryce	00	12	00
One each elne of narrow cloath ſerges and other worſett or hair ſtuffes imported at or above fourtie ſhillin the elne	00	02	00
One eache elne of baiſe or freiſſes at or above threttie ſhillin the elne	00	01	00
One all camrick laune or holand cloath for the value of each tuentie ſhilline	00	01	00
One everie elne of imported pearline of threid or ſilke betuix three and ſix punds	00	12	00
One the elne betuix ſix and tuelffe punds and ſo furth proportionablie	01	04	00
One coale exported in ſcottis or Engliſh bottomes of the value of tuelfe punds	00	06	00

One all coale of the ſame value exported in forrane bottomes 00 12 00
One everie tuelffe pund value of all Kynd of made worke brought home 00 13 04
All manner of worke made within the Kingdome to be frie of exciſe

THIS to begin vpon the tent day of februar nixtocome and to endure onelie ſo long as the neceſſitie of the armie ſall requyre and at the furtheſt bot for ane yeere And if the Parliament at their nixt meiting ſall in place heirof find out and appoynt a better and more expedit way to provide money for ſupplieing of the armies and paying the proviſion made to them in the interim Then this way of exciſe is to ceaſe

AND it is heirby declaired that the Remainder of the brotherlie aſſiſtance The arreares due to the armie in Ireland and what ſall be due for mantenance of this armie and all other ſoumes adebted to this Kingdome be the Kingdome of England being payed And ꝑwith all publict debtes and burdens of this Kingdome with what ſalbe due to the armies being defrayed The remainder thereof over and above this defrayment ſall be employed for repeyment of the exciſe in maner following viz. Whatever ſall be the proportion of the exciſe gottin within the toune of Edr and liberties thereof The equall halfe of the ſame ſall be repayed to the magrats and counſell for behove of the ſaid toun And everie other burgh ſall have repetition of the tua pairt of the proportion of excife furniſhed be them And the remander not allowed to the burghes in maner foreſaid ſall be given proportionablie for the publict vſe of the ſeverall ſhyres according to the quantitie of exciſe payed be thame

EDINBURGH 31 of Januarie 1644

Grounds of ane ſupplication to the Kings Mätie

THE eſtates of this Kingdome pñtlie conveened Taking into their moſt ſerious conſideration That all who have place and publict entereſt in this Kingdome Have ever frome the beginning of the vnhappie differences and vnnaturall warre betuix his mätie and the houſe of Parliament In all humilitie and tendernes made offer of their mediation and nationall interceſſion for removeing theirof in ſuche a way As might ſerve moſt for his mäties honour and the good of his people and that efter diſappoyntment of all other meanes we were neceſſitat to enter into a ſolemne league and covenant for reformätion and defence of religion the honour and happines of the Kings mätie and his poſteritie and the true publict liberties ſaiftie and peace of his Kingdome And in purſuance of the covenant have beene conſtrained for preſervation of our ſelfes and our religion frome vtter ruine and diſtruction To raiſe ane armie againſt papiſtis prelatis malignantis and their adherentis frome whoſe mercies the greateſt favoris may be expected is That when they have deſtroyed England and Ireland we ſall be the laſt they ſall deſtroy And our armie by godis aſſiſtance being now advanced the lenth of

And knowing that theſe our cõmoun enemies the enemies of trueth and peace and of his mäties true happines Are readie to pervert our beſt wayes and will not want impudence to awerre that our ſending ane armie into England Is for invaſion of that Kingdome Or to lift armes aganis our native King Althought our informations declarations and remonſtrances to his Mätie to the houſe of Parliament and to all the world And our whole former deportment [ought] to be more plaine and ſure evidences of our meaneing Then all that malice can devyſe or calumne can expreſſe aganis ws And that our covenant with our brethren for religion King and Kingdoms Is ſufficient to vindicat ws from anie ſuche baſe aſperſions yitt as a further teſtimonie of our conſtant loyaltie and ſincere deſyre of peace We judge it neceſſarie frome the ſenſe of our duetie and frome the relation of the publict truſt cõmitted wnto ws at this tyme To requyre yow in the name and behalfe of this Kingdome yitt againe to ſupplicat That his mätie may be gratiouſlie pleaſed To liſtin to the humble and iuſt deſyres of his mäties ſubjectis of both Kingdoms To be repreſented by the Convention of the eſtates of Scotland or their cõmitties And the houſe of the parliament in England That by their advyſe all theſe vnhappie diviſions and diſtructions may be removed The true religion and worſhip of god eſtabliſhed and ſecured And the publict and great affaires of thir Kingdomes ſo ſettled As may tend moſt to his mäties honour the mantenance of his iuſt auctie The preſervation of the preveledges of Parliament the libertie of the ſubject and the proſperitie of his mäties dominions as is expreſt in our Covenant

THE particular deſyres which may beſt conduce to ſoe good ends we referre to the power and cõmiſſion wherewith we have authorized yow And to the inſtructions given or to be given be the parliament or eſtates of this Kingdome And ſieing by the treattie betuix the Kingdoms it is agreed That nather nation ſall enter into anie treattie of peace without the adviſe and conſent of the other We doe therefore requyre that q'ſoever of this Kynd ſall be done be yow may be with the Knowledge and approbation of the houſe of parlt or their cõmitties with yow And as we nather have nor ſall demand anie thing of his mätie Bot what a iuſt prince oweth by the lawes of god and thir Kingdomes to his ſubjectis comeing before him with their humble deſyres and ſupplications for ſettleing of trueth and peace So theſe being granted and ſecured we ſall be readie to give reall demonſtration That nothing could have brought ws to this poſture Nor can move ws to continow in it bot

trew zeale to our religion naturall affection to our countrey Loyall and ſincere reſpect to our King and true to our brethren of England The conſcience whereof will vphold our heartis wntill it pleaſe god to putt ane end to all our troubles

EDINBURGH the I of Februarie 1644

Act for putting the Kingdom in a posture of defence

WHEAREAS by manie laudable actis of Parliament all the ſubjectis of the Kingdome are ordained to be ſufficientlie armed and to be in readines for compeſeing inteſtin inſurrections and oppoſing of forrane invaſion Lykeas the eſtates of this Kingdome at their laſt meiting in ſeptember 1643 Taking to their conſideration the iminent dangeris of the true proteſtant religion his mãties perſon and auctie and peace of his Kingdomes by multitude of papiſtis prelatis and their adherentis now in armes in England and Ireland And the occaſion theirby given not onelie to the publict enemies of Religion abroad bot even to anie diſſaffected perſons at home to labour (ſo farre as in them lyes) to ſubvert the religion and peace now happilie eſtabliſhed in this Kingdome did find it neceſſarie that all meanes be ſpeedilie vſed for preventing the practiſes of ſuche for preſerveing of the peace and Keeping of his mãties ſubjectis in a duetifull obedience to the lawes and Publict judicatories and in chriſtian vnitie amongeſt themſelffes And did therefore ordaine that the Kingdome ſould be pũtlie putt in a poſture of defence And did nominat and chooſe certane perſons to be colonells of hors and foote and appoynt cõmitties within the ſeverall ſhrefdomes and bounds of this Kingdome to that effect with power to them to take ſpeciall tryell and make perfyte liſtis of the whole fenſible perſons betuix fixtie and fixteene within their ſhyres / for foote or horſe and to have a ſpeciall care to ſie them provided with armes

AND the eſtates now preſentlie conveened conſidering that the deſolations of Ireland the blood ſhed in England and dangers of this Kingdome doe daylie increaſe which hath moved this Kingdome to ſett furth a armie in purſuance of the covenant and whereby alſo great numbers of armes and ãmunition are takin furth of the cuntrey in regard whereof And to the effect this Kingdome may be enabled to ſuppreſſe all inteſtine commotions / recrute the armie ſent furth (if neid be) and defend themſelfes aganis forraine invaſion The ſaidis eſtates have ſtatute and ordained and heirby ſtatutes and ordaines the colonells and cõmittees of warre foreſaid appoynted in eache ſhyre to muſter all the fenſible perſons within the ſhyre vpon one day everie pariſhe within ſome pairt of the boundis of their ſeverall preſbyteries / to be deſigned by the ſaidis cõmitties and colonells by whom ſome are to be appoynted to mak vp the liſtis of the ſaid fenſible perſons armed and vnarmed ſo it may be knowen that none ſall borrow armes frome otheris and how manie and what ſort of armes are wanting and to be provided for everie ſhyre The muſteris of theſe beſouth die to be betuix and the laſt of februarie nixtocome and the report theirof to the cõmittie of eſtates betuix and the fyftene day of marche therefter And the muſters of theſe be north die to be betuix and the tent day of marche and the report to the cõmittie betuix and the laſt of the ſaid moneth And that the borrowes within the bounds reẽiue foreſaid mak their muſteris within themſelfes conforme to the former act of Convention anent the poſture of defence and mak their reportis accordinglie And if efter report it ſall be fund by the Comittie of eſtates that there are more armes wanting then are ſent out with the armie That the ſhyre in that caiſe ſall onelie be obleidged to furniſh ſo manie armes as are ſent furth And the cõmittie of warre are to diſtribute the ſds armes amongeſt theſe who want in the moſt equall and leaſt prejudiciall way they thinke expedient And the ſaids perſons to whom they ſall diſtribute the ſame ſalbe oblidged to receave and pay for the ſaidis armes Wnder the paine of the payment of the double of the ſame

AND it is heirby declaired that whither the muſteris be perfected or not at the dayes reẽiue foreſaidis which the eſtates doe ſeriouſlie recõmend to the care of the ſaidꝭ collonelles and cõmittees yett at the dyettis aboveſpẽit aſſigned for report they ſall be oblidged to ſend ſome perſons to the cõmittie of eſtats with money or ſuretie for provideing as manie armes vĩz muſkettis pickis ſuordis and piſtolls as they have ſent furth in this preſent expedition togither with three pund weight of poulder three pund weight of ball and ſix pund weight of matche for everie muſket or els give aſſureance at the ſaid day of report that they ſall provide the ſame themſelves betuix and a cõpetent day to be aſſigned by the comittie of Eſtates

AND that there may be a ſufficient nomber of trained men who can exerciſe their armes in each ſhyre or burgh for the endis foreſds The ſaidis eſtates ordaines the colonells and cõmitties foreſaidis and magrats of brughes to reduce the whole fenſible perſons within their boundis as well to burgh as landwart into regiments foote companies and horſe troups according to the former printed act of the convention for putting the Kingdome in a poſture of defence And ordaines that the like number of men in eache ſhyre and burgh as were appoynted to come out in the preſent expedition be drelled and exerciſed in handleing their armes everie regiment once in the moneth everie companie and troup once in the week at the places to be appoynted be the colonells and cõmitties and magrats within burgh and that eache ſhyre and burgh ſall intertaine ane able and expert ſouldier

who ſall have the care and inſpection of exerciſeing the regimentis and companies of that ſhyre or burgh And that they take ſuche courſe for inferiour officeris as may beſt with leaſt expence exerciſe their men And they are heirby alſo requiyred to ſie the captanes of each companie provided with culloures and drumes and the rootmaſters with trumpetis and cornettis who are to be in readines vpon orderis from the Comittie of eſtates to bring furth ſuche nomberis and proportions of their regimentis with ſufficient furniture armes and proviſion as they ſall be requyred And whereas now the armie is marched into England it is therefore thought fitt and expedient concluded and ordained by the ſds eſtates that theſe in the northerne and remote pairtis of the Kingdome who have not gone furth in this preſent expedition ſall pñtlie put furth the particular numbers of horſe and foote efter ſpēit ſufficientlie providit with armes āmunition and baggag horſes and all ſort of furniture according to the former printed orderis vīz Out of the ſhrefdome of Bamffe and that part of Aberdene which is not vnder the earle of marſhells cōmand one thouſand ſix hundreth foote and tuo hundreth and fourtie hors whereof the Lord Gordoun is colonell togither alſo with ane hundreth and tuentie horſe out of the ſhrefdome of Elgine nairne and that pairt of Inuernes on this ſide of Neſſe And ane hundreth and tuentie horſe out of the earle of Seafortis diviſion of Inuerneſſe and ane hundreth and tuentie horſe out of the earle of Sutherlandis pairt of Inuerneſſe and Caithnes which are alſo vnder the cōmand of the ſaid Lord Gordon And out of that pairt of the ſhrefdome of aberdene in the earle marſhells diviſion the proportion of men layed vpon the ſame to come out vnder the ſaid earle their colonell And out of the ſaid ſhrefdome of Elgine Nairne and that pairt of Inuerneſſe on this ſyde of the neſſe on thouſand fyve hundred foote vnder the cōmand of the earle of murray their colonell Out of the earle of Seafort and lord Lovattis diviſion of Inuerneſſe one thouſand foot vnder the cōmand of Thomas M^kengie of pluſcarden their Colonell Out of the earle of Sutherlandis pairt of Inuerneſſe and Caithneſſe one thouſand ſix hundreth foote vnder the cōmand of the earle of ſutherland their colonell And out of the ſhrefdome of Orknay one thouſand foote vnder the cōmand of And the ſaidis eſtates ordaines the cōmittie of warre and colonells within the boundis particularlie abovewritten to vſe their vtmoſt endeavoris with all poſſible ſpeed to bring furth the nomberis of men horſe and foote above written reẍiue furniſhed with armes baggage horſes and āmunition horſes and all other furniture preſcribed by the former printed orderis and to make their randevous at Berwick vpon the tent day of march nixt where they ſall receave their further directiones from the Lord Generall and cōmittie of eſtates As they will not be eſteemed enemies to Religion his māties true honour and happineſſe and peace and ſaiftie of this Kingdome and vnder the paine to be purſued before the Convention of eſtates or the enſueing Parliament or their cōmittees for their neglect or delay in this ſo great and important a work

AND further the ſaidis eſtates Ordaines that the halfe of the number formerlie appointed to come furth out of the burghs ſhyres and diviſions thereof in this preſent expedition ſall now be brought out of the ſame ſufficientlie provided according to the formeris orderis both horſe and foote with baggage horſes āmunition horſes and all other furniture and to be in readines to marche vpon foure dayes warneing As alſo to be leveyed and tranſported vpon advancement of the Taxt and loane within eache ſhyre if the ſame be not exhauſted vpon the former leveyes and where there is none of the ſaid loane that they be leveyed and tranſported as the cōmittie of eſtates ſall direct to be ane auxilarie ſupplee to the armie And the ſaidis Eſtates declaires that in q^ſoever ſhyre this ſupply ſall come to a full regiment And where there is a colonell alreadie nominat He is to goe out with the ſaid regiment and the remanent officeris thereof to be nominat by the cōmittie of the ſhyre with his adviſe And where the ſupply ſall not be a full regiment bot moſt be adjoyned to the ſupply of ane other or of a thrid ſhyre to compleit the regiment In that caſe the colonell of the ſhyre out of which the greateſt nomber comes is to goe out as colonell of the regiment thus made vp and if there be none alreadie nominate he is to be choſen by the cōmittie of that ſhyre and the Leiv̄t colonell to be choſen by the cōmittie of the ſhyre who ſends out the nixt proportion and the major by the ſhyre and cōmittie thereof which ſends out the leaſt proportion And where their is anie difference the ſame to be referred to the cōmittie of eſtats and the vnder officeris and Captaines by the ſeverall cōmitteis and ſhyres who ſends out the captaines With power alſo to the ſaidis cōmittees where there is no colonells for putting the ſhyre in a poſture of defence or ſall be none efter the goeing out of this ſupply To nominat colonells for that effect And for the better and more expedite execution of the orderis of the convention and their cōmittees and of the cōmittie of warre With power to the ſaidis cōmittees of warre where they ſall find expedient to mak ſub cōmitties in ſeverall preſbyteries conſiſting of ſome of the ſaid cōmittie of warre Wnto whom they ſall adjoyne ſome perſons beſt affected within the ſaidis preſbyteries Who are to be anſrable for their proceedingis to the ſaid cōmittie of warre and they to be anſrable both for their owne carriage and the deportment of the ſds ſubcōmittees to the cōmittie of eſtates As alſo with power to them to call and conveene before them all delinquentis and tranſgreſſoris of their order or of the

orderis of the Convention and cõmittie of eſtates and to cenſure and puniſhe them by impriſonment fyneing or other arbitrarie paine as they ſall find the merite of the cauſe and condition of the delinquentis to requyre And in ſpeciall to fine theſe who have not or ſhall not heireſter putt out their foote men in ane hundreth punds and their horſemen baggage horſes and ãmunition horſes in foure hundreth merkes and to direct their precepts to meſſrs of armes to poynd and diſtreingie for the ſame and to be comptable for the ſynes to the cõmittie of Eſtates And becauſe this great work hath heirtofore ſuffered and may herefter ſuffer no ſmall prejudice by the vnfrequent meittingis of the cõmittie of warre and abſence of diverſe of them frome the ſame as alſo by the vncertantie of their dyettis The eſtates therefore ordaines the ſaidis cõmittie of warre To appoynt certane ordinarie dyettis vpon ſome ſett dayes in the week and at their meittingis in everie ſeſſion to mark their ſederuntis and to ſend a note thereof and of the ordinarie dayes of their meittingis and proceedingis to the cõmittie of Eſtates once everie moneth at leaſt and efter as they ſall be requyred wherethrough the better correſpondence may be keeped betuix them and the cõmittie of eſtates and the ſrvice may be more expeditely promoved And that they fine the abſentis frome their meittingis the gentlemen in ten ſhillings and the burgeſſ in fyve ſhillingis ſterline toties coties And vplift the ſame by poynding and mak compt thereof to the ſaid cõmittie of eſtates Wheirin if they faillie the ſaid committie ſall pay the double of the ſaid wnlawes

AND the Convention Recõmends to the Comittie of Eſtates to ſie this act putt to ſpeedie and exact execution With power for this effect To doe everie thing that may further the execution thereof and putt the Kingdome in a right and ſpeedie poſture of defence This act to be without prejudice of anie former orderis made for the pryce of armes putt out in this expedition

Officers to repaire to the Armie

FORSAMEKLE as the Comittie of eſtates be their act of the tuentie tua of Januarie laſt did be oppen proclamation Comand and charge all officeris of the armie To repaire and attend their ſeverall charges in the armie And the Convention of eſtates now conveened Haveing receaved advertiſement from the armie that notwithſtanding heirof manie of the officeris doe ly lingring behind to the diſappoyntment of the ſervice and prejudice of the pũt expedition doe therefore Ordaine Herauldis and meſſrs of armes To pas to the mercat croce of Edr and their be oppen proclamation Comand and charge all colonells leivt colonells Majoris rootmaſteris captanes Leivetenentis Enſignes and other officeris of the armie To repaire furthwith and attend their ſeverall charges and imployments in the Armie Wnder the paine to all ſuche as ſall not be at their ſeverall charges within ten dayes efter the publication heirof that they ſall be carſſeired and otheris putt in To ſupplie their charges

John Leslie

THE Convention Conſidering that Johne Leſlie of the myres is written for be the Comittie of eſtates with the armie To doe ſervice in the preſent expedition And that their is yitt owing to him ſome ſoumes of money for his ſrvice in the laſt expedition whereof he receaved precept frome the cõmiſſioneris of the common burdens vpon Williame Thomeſon doe therefore Requyre and Comand Williame Thomſon To pay the ſame conforme to the precept formerlie direct to him theiranent Or if money can not be had that way yitt the eſtates appoyntis and Ordaines Wam Thomeſon cõmiſſar deputt To pay to the ſaid Johne Leſlie tuo hundreth pund ſterline in pairt of payment of the ſoumes owing him and conteined in his former precept And that out of the readieſt of anie publict moneyes being in his handis In reſpect it is both owing to him for his former ſrvice and will be ane Outreik to him in this expedition

AT EDINBURGH 2o Februar 1644

James bosuald

FORSAMEKLE as James Boſwald merchand in Edr haveing be warrand and contract made betuix him and the Lordis of his mãties privie Counſell tranſported three thouſand bolls oat meall to Ireland and delyvered them at Carrickfergus for the vſe of the ſcottis armie there to Alexander Mure receaver of the victuall of the ſaid armie As the not of recept vnder the hand of the ſaid [Alexr] of the ſeventh of ſeptember laſt beares for ilk boll of which meale thus tranſported the counſell wes bund to pey to him his aires exẽrs or aſſigneyes ſeventene merkis ſcottis money The one halfe þof vpon demand (qlk wes accordinglie payed at the tranſporting of the ſaid meale) And the other halfe efter the report of the not of recept of the meale in Ireland with the ordinar ãrent ſo long as the ſaid ſoume ſould be wnpayed efter the tymes above ſett doune And the eſtates of the Kingdome preſentlie conveened remembring that in conſideration and for payment of the great ſoumes of money awand for victuall and other neceſſars furniſhed to that armie Granted ane loane to be vplifted in this Kingdome And finding it juſt and reaſonable that the ſaid James Boſwald be ſpeedielie payed of the other halfe of the pryce of the ſaid meale ſo tymeouſlie tranſported be him as ſaid is doe therefore give warrand and Comand To the general colector of the loane and taixt and his deputtis To pay and delyver to the ſaid James Boſwall his aires exers and aſſigneyis the ſoume of ſeventeene thouſand punds As being the juſt pryce of ane thouſand fyve hundreth

bolls of meale at ſeventeene merkes the boll with ane quarteris ärent thereof fra martimes to candlemes laſt extending to three hundreth and fourtie pund And that they pay this out of the firſt and readieſt of the loane not heirtofore diſpoſed vpon be Publict warrand Wheiranent thir pñts ſall be their warrant And it is heirby declaired that what proportion heirof ſall not be payed as ſaid is The ſoume with the ärent thereof ſall remaine as a Publict debt due be this Kingdome to him and his foreſaidis who ſall have payment thereof frome the Publict

James bosuald

FORSAMEKLE as James Boſwall merchand in Edinburgh Haveing in the moneth of Auguſt laſt Sauld and delyvered to Generall Major Monro for the vſe of the ſcottis armie in Ireland fyve hundreth fiftie ſix bollis meale at nyntene ſhilline ſix pence ſterline the boll Amounting to the ſoume of fyve hundreth threttie tuo punds ſixteene ſhilline eight pence ſterline As be a teſtificat vnder the hand of the ſaid Generall Major Monro and tickit of recept of the hand of Alexander Mure receaver of the victuall of that armie doeth fullie appeare And the eſtates of this Kingdome finding it moſt reaſonable That all who have ſold anie victuall to that armie be thankfullie payed of the pryces of the ſame with the ärent of the ſame Out of the arreares due to the ſaid Armie be the parliament of England doe therefore declaire that the ſaid ſoume of fyve hundreth threttie tuo punds ſixteene ſhilline eight pence ſterline with the ärent thereof fra martimes laſt and dureing the not payment þof is a juſt debt and burden vpon the arreares of the ſaid armie And that the ſaid James Boſwald his aires executoris and aſſigneyis aught and ſould be payed of the ſame out of the firſt and readieſt of anie moneyes ſall come frome England for the vſe of that armie And heirby gives warrand to there committees To ſie him payed accordinglie Bot if it ſall happin that the ſaid James and his foreſaidis ſall not receave payment this way Then and in that caiſe it is declaired that the ſaid ſoume and arreares due therefore being aſſigned to the Publict That the ſame with the ärent thereof ſall remaine as a Publict debt due to him be this Kingdome q^lk they will have a care To ſie duelie payed

ACT of the eſtates of Scotland for raiſeing of moneyes for a preſent ſupplee to The armies ſent into England and Ireland

Act for borrowing of money

FORSAMEKLE as the Convention of Eſtates finding themſelfes bund in conſcience and duetie for ſettling of a ſtock of credit and ſecuritie Wherevpon ſoumes of money may be pñtlie raiſed for ſupplee of the armie ſent into England and releeveing in ſome meaſure the extreeme wantis of the ſcottis armie in Ireland did conclude and Agree that the ſame ſould be By way of exciſe Yitt conſidering that the neceſſiteis of the armies cannot admitt of delayes And the ſoumes to be raiſed on this exciſe will not be tymeouſlie gottin in for ſupplie thereof Bot that the ſamyne joyned with the Publict faith of this Kingdome may be a ſufficient ſuretie to anie that will advance moneyes in the interim Have theirfor thought fitt To requyre and ordaine That all perſons of this Kingdome who have moneyes or be þ^r credit and ſuretie can beſt and ſooneſt raiſe money To len the ſame to the eſtates or their comitteis for the vſes foreſaidis Who ſall have aſſureance for their repeyment frome the Publict Out of the moneyes due be the Kingdome of England to the armies according to the proportion to be advanced to either of thame reẽiue Or that ſall be raiſed vpon this exciſe which the collector and his deputtis ſall be bund to pay them Out of the firſt of his intromiſſion theirof Or be anie other maner of ſuretie privat or publict they ſall deſyre And in caiſe anie ſall deſyre privat ſuretie It is heirby Ordained that the perſons whom the Lenneris ſall deſyre to be bund to them ſall either obleidge themſelfes to the lenneris or furniſhe the moneyes themſelves And in either caiſe ſall have Publict ſuretie foreſaid for their releeffe And the perſons thus obleidged to the Lenneris in a privat ſuretie ſall have ſuche otheris of anie eſtates (that are in the toun or ſhyre where the money is to be borrowed) joynd with them as they ſall deſyre And for the better proſecuteing heirof The eſtates Gives pouer to their cõmittee in ſuche ane exigence and vpon warrandice of repayment foreſaid To call before them all ſuche perſons as are knowin to be able be themſelfes or their credit To lene or raiſe money And to Requyre And Ordaine thame To len or give ſuche ſuretie as will pñtlie raiſe the ſoumes of money the committie ſall Requyre frome them Wpon the aſſureances abovewrittin And if anie ſall refuſe with power to the Comittie To take ſuche courſe with thame As in a tyme of ſo preſſant neceſſitie they ſall thinke fitting To make them advance moneyes as ſaid is Bot if anie will be pleaſed vpon this ſecuretie willinglie to offer moneyes It ſall be eſteemed and embraced As a realle teſtimonie of their affection To Religion And the caus in hand And farder the Eſtates gives heirby power and Comand to the Comittees of warre in the ſhyres To take ſuche courſe within their ſeverall bounds for procureing of money in manner foreſaid As is abovewritten or frome tyme to tyme ſall be direct to them frome the Comittie of Eſtates And to report

George Porterfeild

FORSAMEKLE as George Porterfeild merchand in Glaſgow hes in apryle and may 1643 ſauld and delyvered to gñall Major Monro for the vſe of the

ſcottis armie in Ireland Eight hundreth fourtie ſeven barrells of wheat at threttie foure ſhillin ſix penies ſterline eache boll Amounting the ſoume to ane thouſand foure hundreth threeſcore punds elleven ſhilline ſix pence ſterline As alſo cloathes and ſhoes amounting to fyve hundreth threeſcore fyfteene punds elleven ſhillin ſix pence ſterline Whilk ſoumes with three quarteris ārent frome the tyme foreſaid till candlemes nixt extends to tuo thouſand one hundreth ſeven pund thretteene ſhilline ſterline As the teſtificats vnder the hand of Gñall Major Monro and W^am^ Thomſon cōmiſſar of the ſaid Armie and ſhowin to the eſtates more fullie proportis And the eſtates finding it moſt juſt and reaſonable that tymeous and thankfull payment be made to the ſaid George of the ſaid ſoume Out of the arreares dew be the Kingdome of England to that armie or anie other moneyes lifted for the vſe of the ſaid armie doe therefore declaire that the ſame with the ārent theirof dureing the not paym^t^ ſall remaine and be a debt and burden to be payed of the firſt of the arreares that ſall come for that Armie Bot in caiſe the ſaid George ſall not get payment that way Then and in that caiſe The ſaids eſtates declaires that he or anie haveing his warrand aſſigneing them or their cōmittees to the ſaid ſoumes and arreares due therefore That they and this Kingdome ſall be full debtoris to him therefore And accordinglie Gives warrand and Comand to the Gñal colector of the loane and his deputtis To pay and delyver to the ſaid George Porterfeild or anie haveing his warrand The ſaid ſoume of tuo thouſand one hundreth fourtie ſeven pund threttene ſhilline ſterline Out of the firſt and readieſt of the loane not alreadie diſpoſed on be publict warrand They alwayes receaveing aſſignation to the ſame and arreares due therefore as ſaid is Wheiranent thir pñts ſall be thair warrand

Dauid Weimes

FORSAMEIKLE as david Weemes merchand in dundie did in the moneth of No^r^ 1642 ſell to the Lord Gñall for the vſe of the ſcottis armie in Ireland foure hundreth tuentie ſix barrells of wheat at tuentie aught ſhilline ſterline the barrell Extending both to ſeven hundreth elleven punds eight ſhilline ſterline And receaved from W^am^ Thomſon cōmiſſar of the ſaid armie ane hundreth tuentie pund ſterline in pairt of payment theirof And the Lord Gñal gave him a bill for the remainder extending to fyve hundreth foureſcore eleven pund eight ſhillin ſterline To be payed be the cōmiſſioneris then at Londoun Out of the firſt moneyes to be receaved be thame for the vſe of the ſaid armie q^lk^ he hes not as yit receaved as a teſtificat vnder the hand of the ſaid W^am^ Thomeſon cōmiſſar of the ſaid armie ſhawin to the ſaid Convention of eſtates beares And they finding it juſt and reaſonable That the ſaid david ſould be ſatiſfied of the remainder of the ſaid ſoume as for the price of the ſaid victuall ſo ſeaſonablie furniſhed to the ſaid armie and yitt vnpayed doe theirfore declaire that the ſame is and ſall remaine as a debt and burden to be payed Out of the firſt end of the arreares due by the Kingdome of England to the ſaid armie in Ireland With the ārent due for the ſame frome the date of the order for payment Be carefull to ſie the ſame payed Out of the firſt end of the ſaidis arreares that ſall come for the ſaid armie And incaiſe the ſaid david ſall not receave payment that way Then and in that caiſe The eſtates of this Kingdome doe declaire That vpon aſſignation to be made to thame of the ſaid ſoume and pairt of the arreares due therefore The ſame with the ārent due for the not payment thereof Is and ſall be a publict debt of this Kingdome And that the Eſtates theirof and their cōmittees ſall be Carefull To ſie the ſame payed accordinglie

Alex^r^ Brydie

FORSAMEKLE As Generall Major Monro and remanent officeris and ſouldieris of the ſcottis armie in Ireland being in neceſſitie of great proviſion for the armie Gave order To alexander Mure receaver of their victuall To make pryce and receave frome Alexander Brydie merchand in Aberdene The nomber of foure hundreth ſeventeene barrells of meale vpon the ſecond of Januar laſt at tuentie ſhilling ſterline amounting to foure hundreth and ſeventene pund ſterline As a precept vnder the hand of the ſaid Gñall Major teſtifieing the ſame And Comanding the cōmiſſioneris of the armie To pay the ſame vpon ſight more fullie proportis And the eſtates preſentlie conveened Haveing ſeene and conſidered the ſaid precept And finding it juſt and reaſonable that paym^t^ be made for the pryce of the ſaid victuall ſo ſeaſonablie furniſhed as ſaid is Doe therefore declaire that the ſame is and ſall remaine as a debt and burden to be payed Out of the firſt end of the arreares due be the Kingdome of England to that armie in Ireland with the ārent due for the ſame fra the date of the order for paym^t^ And that they will be carefull to ſie the ſame payed Out of the firſt of the arreares that ſall come for that Armie And incaiſe the ſaid Alexander ſall not gett payment that way Then and in that caiſe The eſtates of this Kingdome doe declaire That vpon aſſignation to be made to them of the ſaid ſoume and arreares due therefore The ſame with the ārent dureing the not payment thereof is and ſall be a Publict debt of this Kingdome And that the eſtates theirof and their cōmitties ſall be carefull To ſie the ſame payed accordinglie

Right Honorable

THE Convention of Eſtates haveing conſidered your l^ps^ l^res^ of the 22 and 30 of Januar and Knowing that on the ſucceſſe and welfaire of that armie doeth muche depend the good of Religion and peace of this Kingdome Have beene moſt carefull

not onelie in giveing orderis for bringing out of the remander horſe and foote baggage and āmunition horſe to the reſt of the armie Bot alſo have beene thinking on the beſt meanes how p̃t ſoumes of money may be lifted for ſuppleeing the neceſſiteis both of that armie and of the other that is in Ireland And for that end efter ſerious deliberation have agreed vnanimouſlie vpon ane exciſe As will more fullie appeare to your l̃ps be the encloſed copie of the act it ſelfe yitt fearing that the moneyes that ſall ariſe vpon this exciſe come not in tymeouſlie for a p̃t ſupplee They have thought fitt that there be preſentlie borrowed tuentie thouſand pund whereof ten to be ſent to the armie in Ireland with fyve thouſand bolls of meale beſide the fyve that hes lyen this while in Leith And the other ten is to be employed for the vſe of the armie in England And the Comittie are preſentlie to goe about the ſame

THEY have alſo according to your deſyre changed the quorum of your Comittie to anie ſeven promiſcuouſlie in abſence of the reſt of the eſtates Whereof yow ſall receave the encloſed act They have alwayes Ordained this Kingdome To be p̃tlie putt in a poſture of defence and provideing of armes and āmunition And have reſolved not onelie that theſe regimentis in the northerne ſhyres Who have not come out alreadie Be p̃tlie called out Bot alſo that ſome forces be readie in eache ſhyre To come out for a recrue to the Armie As they ſall be requyred The Particular way thereof will be beſt Knowen to yow be the encloſed act agreed vnto be the Eſtates for that purpoſe

THEY have alſo given order for advance and outreik money to foure ſurgeons eache whereof is to ſrve a Brigad and will be carefull that with all diligence They be direct thither

WPON the recept of your l̃ps l̃re of the 30 of Januarie proclamation wes made at the mercat croce of Edinburgh Vpon the firſt of februar Comanding all officeris of the armie to repaire to thair ſeverall places in the armie Within ten dayes vnder the paine of loſſeing of thair places And conſeaveing it ſuteable to our duetie and courſe formerlie obſerved be ws To pretermitt no opportunitie which may witnes the Loyaltie of our intention Our due reſpect to his Mātie and ſinceritie of our deſyres for ſettleing of trueth and peace vpon the grounds expreſt in the Covenant We have ſent yow the warrand of a ſupplication or remonſtrance to be made be yow to his Mātie in behalfe of this Kingdome wherein we could not diſcend into Particularis Bot leave them to be expreſt be yow As yow find the poſture of affaires and the fittest opportunitie to mak vſe thereof So praying that god may Bleſſe yow and ws in all the paſſages of this great worke Wherein both Kingdoms are ſo deeplie engadged And we honored to be employed We reſt

THE Convention of Eſtats Ratifies & Approves the Comiſsion & inſtructions given at the late meiting of the Eſtats to the Lord Chanr &c. To repaire to Ingland

Persons adjoyned to the Cōmittee

THE Eſtats Adjoyne the Lords Angus Elcho Elphinſton & Bargaṅie Sr John hope Sr Ard Campbel / Sr Wm Carmichel Mr James Rid Robert fleeming laurence henderſone John Kennedie in Air & M Robert Cunynghame to the Cōmittee of Eſtats p̃ remaines wthin the Kingdome

Quorum of the comittee at home

THE Eſtats Conſidering that throw the abſence of the Quorum of the Cōmittee the ſervice may happin to be retardit Doe p̃fore declare that in abſence of anie of the Eſtats or Quorum formerlie appoynted That anie Seven of the hail nomber promiſcuouſlie / ſall make vp a Quorum And ordans p̃ intimaon be made of all meitings be ane maiſer or apud acta And that the ſame be made alyke to all the Eſtates

THE Eſtats Ratifies & approves & Renewis the Comiſſions formerlie given to the Comittee of Eſtats And ordans thame to proceed conforme to the power given to thame p̃in And approves the bygone proceedings of the ſd Comittee and members p̃of ꝓteaned in the publict regiſter

THE Eſtats appoynts thair nixt meiting to be at Edr the tent of Apryle nixt And p̃ publicaon be made p̃of at the mercat croce of Edr &c.

AT EDR 10 Apryle 1644 Sederunt

CONVENTION

Chanr Argyle Glencairne Cassills Dumfermline Lauderdail Weemes callander Kenmure Yester Elphinston Borthuick Balmerino Burlie Forrester Barganie Elibank

Edinburgh	S Pa: hamilton	Nidrie
ffyffe	Denmylne	Bogie
Lithgow	Dundas	
Lanerik	Dalſerſe	
Stirline	Buchannan	Carnok
Hadinton	Wauchton	
Berwick	Aiton	
Clakmannan	Roſsythe	
Peebles	Dawick	
Air	Kilbirnie	Coudoun
Roxburgh	Sr Tho ker	Lochtour
Renfrew	Greinok	
Selkirk	Sr Wm ſcot	

Burghes	
Edr	Jo: Smith Tho: paterson
Perthe	Alex inglis
Dundie	Ro[t] dauidson
Stirline	Thomas Bruce
Lithgow	George Bel
St andrews	Robert tailzeour
Hadinton	Patrick Zong
Dysert	George Lundie
Kirkcaldie	John wämſone
Couper	George iameson
Bruntiland	George Garden
Kingorne	M Ro: cunynghame
Brechin	John achterlonie
Irwin	John Rid
Selkirk	Wm Eliot
Dunbar	Wm Purves
Dunbartan	Jo: Semple
Renfrew	An: Semple
Lanerik	Al tenent
Crail	Ninian hämilton

EDINBURGH the 10 of Apryle 1644

Act anent the shyre of Roxburgh

THE eſtates preſentlie conveened Conſidering that in reſpect of ſome Engliſhe trouperis lying on the way of Northumberland That it is not ſaife that anie meale be caried frome Kelſo into England be land Doe therefore diſcharge all carieing of anie victuall into England be Land bot be order frome the cõmittees of eſtates of this Kingdome And Recõmendis to the cõmittie of warre of Roxburgh ſelkirk To ſie this order punctuallie obſerved

Comittee for the pũt expedition

THE Convention of Eſtates conſidering the courſe tane be the Comittie in ſending tua of the regimentis that come out of Ireland to the ſouth and one to be North And appoyntis Argyle Caſſillis Lauderdaile Sinclair and Burley Wauchtoun dundas Sr Wam Scot Sr Thomas Ker Edr Glaſgow dundie and Bruntyland To be a Comittie To conſider on the cõmiſſion inſtructions and otheris directions neceſſarie for the expedition to the North And on the power of a cõmittie to be ſent there And how the peace of the borderis may be ſecured and to report

Argyls troupe

THE Eſtates Recõmendis to the Marques of Argile To give orderis to his lps troupe To quarter on ſuche meit landis in Perth ſhyre As have not putt out there men

THE qlk day the Comiſſioneris of the gñall aſſemblie repreſented to the eſtates That they had given order for the ſũmar excomunication of the Marques of Huntlie and other pryme actoris in the rebellioun in the North

EDINBURGH the 11 of Apryle 1644

Comittee anent the Irish affaires

THE Eſtates nominatis Caſſillis dumfermelyne Lauderdaile Lanerick Callender Balmerino Burley dundas preſtoñ Bogie Cowedon Grenock Kilbirnie Edr Glaſgow Lithgow ſtirline Bruntyland Couper To heere the officeris of the armie in Ireland And the inſtructions ſent with thame And what anr is fitt to be returned thereto And to the petition of the relict of Leivt Colonell Leſlie who wes Killed in our Armie in England And to examyne Major Ereſkine who is come frome Newcaſtle Armie

Act anent the Loan

THE eſtates Ordaines that for ſtoppeing the mouthes of all ſuche as are readie to maligne there proceedingis that a compt be made of all the money Come in be the loane and taxt frome England And be borrowing And how the ſame is diſburſed And that it be Printed

Rut maisters in Perthshyre

THE Convention of Eſtates being informed of ſome Lett occaſioned in the putting out and vplifting of the troupes of horſe appoynted to goe in this preſent expedition to the North throw the rutemaiſteris named be the ſhyre there not accepting of their charge And the eſtates finding it neceſſar That ſome qualified and able perſons be made choiſe of for theſe charge doe therefore Nominat and appoynt Oliphant younger of Bachilton and moncreiffe brother to the laird of Monereiffe to be rootemaiſteris to the tua troupes now to come out of that ſhyre And ordaines the cõmittie of warre of the ſhyre To call thame before thame that intimacne heirof being made wnto thame they may accept and goe about their ſeverall Charges

Act for demolisheing the castle of Dunbartan

THE Eſtates conſidering that by act of the laſt Parliament [the] fortification and ſtrenth of the caſtle of dumbartane were appoynted to be ſlighted And that in ſuch a tyme of troubles the ſame may prove more hurtfull (as formerlie it hes beene) then vſefull to the countrie Doe therefore appoynt the ſame houſſ and wallis and ſtrenth thereof To be demoliſhed and razed to the ground And Recõmendis to Johne Semple proveſt of dumbartane to ſie this done With power to him for this effect To hyre quarrieris or anie other workmen neceſſar And if anie refuiſe To preſſe thame on reaſonable conditions And Ordaines the Comittie of Eſtates To ſee the expenſſ heirof payed be the Publict And that the ſaid Johne ſemple tak ſome courſe To ſecure the cannon and carradges thereof Or anie other ãmunition Within the caſtle vpon the Publict Charge

Committee for a poſture of defence

THE eſtates appoyntes Argile glencairne Callender Lanerick Yeſter Sr Williame Scot Sr Thomas Ker Nithrie Wauchtoun Aitoun Ed^r Glaſgow Couper Kirkcaldie dunbartane To be a Comittie for ſieing the Kingdome putt in a right poſture of defence And ſecureing the borderis How the cannon in the caſtle of dumbartane ſhalbe diſpoſed of And what anſ^r ſall be returned to Johne ſlowane and ſome other petitions of ſuche as have beene ſpoyled be the Kingis forces

THE Eſtates Nominatis Caſſillis Lauderdaile Lanerick Callender Balmerino yeſter Burley Wauchton Carnock preſton dundas Kilbirnie denmylne Nithrie Ed^r dundie St Androwes Hadintoun Perth dumbartane Kinghorne To conſider what anſ^rris is to be given to the cōmiſſioneris at Londoun there lies Anent the groundis of a ſetled peace And to report

EDINBURGH the 12 of Apryle 1644

Comiſsion to captane Jakson

FORSAMEKLE as the eſtates of this Kingdome Have imployed captaine James Jackſone Engliſhman and his ſhip for guarding of the coaſtis of this Kingdome and otheris pairtis where ather the enemies thereof within may receave ſupplee frome theſe of there conſpiracie or hinder ſupplee to be convoyed to the armies in England and Ireland or moleſt his Mātes ſubjectis by ſea as he ſall receave orderis frome the ſaidis Eſtates or their cōmittees for which purpoſe he hes alſo furniſhed his ſhip with artellerie men of warre and āmunition and other neceſſarie proviſion And contract paſt betuix him and the ſaidis eſtates heiranent And whereas it is liklie that in this ſrvice he may rancounter with dunkirk or yriſh frigottis infeſting the coaſt or anie other ſhipes belonging to the ſaid enemie of the tuo covenanted kingdomes of Scotland and England who are verie induſtrous ather to ſupplee the enemies of the ſaidis Kingdoms or to intercept ſupplee or proviſion goeing to the tuo armies As alſua to ſeaſe vpon merchantis and otheris his Mātes good ſubjectis travelling by ſea Therefore the eſtates of this Kingdome gives full power and cōmiſſion to the ſaid captane Jackſone not onelie to defend himſelfe ſhip and goodis frome anie of the frigottis and otheris foreſaidis / butt alſo to follow and purſue thame with all maner of hoſtilitie And to apprehend ſink or deſtroy thame and vſe thame as profeſt enemies to the ſaidis eſtates And ſuche of them or their ſhippes as they ſall apprehend to mak the ſame furthcomeing to be diſpoſed of as the eſtates ſall think fitting And to doe everie other thing heirin As he ſall be cōmanded be the eſtates of this Kingdome or their cōmittees This cōmiſſion to endure for the ſpace of fyve moneth

Contract wth captan Jackson

FORSAMEKLE as Captane James Jackſone captane of the ſhip called the hopefull adventure Hes vndertane and by thir pūts vndertakis and obleidges himſelfe in pūce of the eſtates of this Kingdome now conveened to furniſhe his ſhip with tuentie peece of good ordinance threeſcore men of warre with victuall āmunition and all otheris neceſſaris for the ſpace of fyve monethes to be imployed for the ſervice of the Kingdome of Scotland According to the orderis to be given to him frome tyme to tyme be the eſtates thereof and their cōmittees Therefore the eſtates of this Kingdome by theſe pūts alſo oblidge thame to cauſe be payed to the ſaid Captane Jackſone tua hundreth pund ſterline monethlie for his ſrvice in the imployment of his ſaid ſhip / furniſhed as ſaid is / And tua monethes pay advanced to him And that the ſaidis eſtates ſall caus provide reid cottoun for ſyde cloathes to his ſhip Togither alſo with ane ſhallop for the vſe of the ſaid ſhip Lykas the ſaid captane doeth heirby oblidge himſelfe to victuall and provide his ſhip at one tyme for three monethes And the ſaidis eſtats declaires that his entrie vpon the ſervice of the publict ſall be and begin vpon the 16 of Apryle inſtant

Act for some canon to cap^r Jackson

THE Convention of eſtates conſidering how neceſſar it is that captane Jackſones ſhip which is imployed for guarding of the coaſt be furniſhed with ordinance Ordaines and cōmands Andro Balfoure in to ſell to the ſaid captane the foure peece of ordinance for the vſe of the ſaid ſhip at the pryce for q^lk he bought the ſame frome James Barnes

Act for canon in Leith

THE Convention of eſtates vnderſtanding that Williame Keir in leith hes tua peece of ordinance called ſaikeris whereof he hes no vſe for the preſent and whilk will be verie vſefull for captane Jackſons ſhip in the ſrvice wherein he is now imployed for the publict Therefore ordaines the ſaid Williame Keir to len the ſame to the ſaid captane for the vſe foreſaid He giveing band to reſtore the ſame to the ſaid Williame or the pryce thereof betuix and the ſpace of fyve monethes

Act in favors of Andro drumond

THE Convention of eſtates haveing heard the petition of Andro drumound priſſoner in the tolbuith of Edinburgh proporting that vpon occaſion of his being in companie with Lues marſchaell when he he wes tane for the ſlaughter of the young laird of Clackmannan he wes brought heere with him and putt in waird where he hes remained this moneth or thereby Albeit he be innocent of art part or knowledge of this ſlaughter being fourtie myles frome the place where and whence the ſame wes cōmitted As the perſewers Knew who haveing vpon the ſecund

of Aprile inſiſted aganis the ſaid Lues who wes convict and ſuffered had nothing to ly to his charge And therefore deſyreing to be putt to libertie And gilbert Bruce younger of Clackmannan for himſelfe and remanent purſuers being charged to appeare and heir his deſyre granted or els ſhow a cauſe why and not cõpeirand The eſtates in regard thereof Ordaines the proveſt and baillies of Edinburgh To putt the ſaid Andro to libertie in ſo farre as he is warded for the cauſe above written for the q^{lk} thir pũts ſall be their warrand

Precept to capt Jackſone

THE Convention of Eſtates Ordaines and Comands Williame Thomſone to delyver to captane Jackſone tua hundreth pund ſcottis for provyding of reid cottoun and greene linnen to be ſyde cloathes to his ſhip qlk is imployed for the Publictis ſrvice for the qlk thir pũts ſall be his warrand

THE Convention of Eſtates ordaines and cõmands the baillies of Leith to vſe their beſt endeavoris to procure a ſhallop qlk the eſtates hes conditioned to furniſhe to captane Jackſone for the vſe of his ſhip imployed in the ſrvice of the Publict And that the ſaidis baillies make pryce for the ſame and report to the Convention that orderis may be given for payment thereof

EDINBURGH the 14 of Apryle 1644

A paſſe to the Earle of Morton

THE QLK DAY the earle of Mortoun compeired perſonallie before the eſtates And efter he had publicklie ſuorne and ſub^{t} the covenant deſyred that he might have a paſſe to repaire to Orkney for ſome of his privat affaires And being demandit if he had anie cõmiſſion frome his Mãtie to theſe boundis declaired vpon his honor he had non And that his carieage there ſould be ſuche as may conduce moſt for the peace of the countrey And that he ſould be readie as he ſhould be deſyred To give all the aſſiſtance in his power for procureing obedience to the orderis of the eſtates In reſpect whereof The eſtates allowes of his voyage And ordaines a paſſe to be granted to him for his goeing thither and returne

EDINBURGH the 15 of Apryle 1644

Armes to the Earle of Lanerick

THE Eſtates ordaines and cõmands the gñall of the artellerie and his deputtis To delyver pũtlie out of the publict magazen to the earle of Lanerick for the vſe of the ſrefdome of Lanerick ane thouſand muſkettis and bandelieris fyve hundreth pickis tuo hundreth ſuordis with matche poulder and ball proportionable The ſaid gñall of Artellerie and his deputtis firſt receaveing ather payment for the ſame or ſufficient ſuretie for reſtoring als muche bak againe to the magazen betuix and the laſt day of May nixt

Armes to the Lo: Sinclar

THE Eſtates Ordaines and comands the Gñall of the artellerie and his deputtis to delyver to my Lord Sinclare for the vſe of his regiment Tua hundreth muſkettis and three hundreth bandelieris ane hundreth pickis threttie ſwordis and beltis And tua thouſand weight of matche He alwayes giveing band to make the muſkettis and ſwordis furthcõmand to the publict if they ſall not loſſe on ſrvice

Poulder to the Lord Sinclar

FORSAMEKLE as the Lord Sinclair hes furniſhed and bought ſixteene hundreth weight of poulder for the vſe of his regiment And the eſtates finding it juſt that he be releived of the pryce thereof doe therefore Ordaine Williame Thomeſone To delyver to the Lord Sinclair ſixteene hundreth merkis for the pryce of the ſaid poulder

Armes to Sr W^{am} Cochran

THE Convention of eſtates ordaines the gñall of the Artellerie to delyver out of the publict magazen To Sir Williame Cochrane of Coudoun for the vſe of the ſrefdome of air Ane thouſand muſkettis and bandilieris tuo thouſand weight of matche And ane thouſand weight of ball The ſaid Sr Williame aſſigneing to the generall of the artellerie and his deputtis the contract whereby Alexander Maxwell and James McKeane are bund to delyver to him at Leith ane thouſand muſkettis and bandelieris and tuo thouſand weight of matche betuix and the ſevent of May And als giveing band that if the merchantis faile That he ſall pay the ſaid gñall of the artellerie and his deputtis The pryce thereof at that day for the vſe of the Publict

Warrand for Sinclars regiment to marche

FORSAMEKLE as the Eſtates have thought fitting that for ſecureing the peace of the borderis frome invaſion frome England That the Lord Sinclaires regiment marche furthwith thither theſe are therefore To requyre the Lord Sinclair and otheris officeris of that regiment To marche pũtlie with their regiment towardis dumfreis the neireſt way as he ſall think fitting Heirin he faile not to give ſpeedie obedience As he will be anſrable

THESE are to Requyre the cõmittie of warre The ſhyre and toun of ſtirline To furniſhe threeſcore of horſe for carieing of the ãmunition and baggage of the Lord Sinclaires Regiment And that they be in readines the morne the 16 of this moneth at ſeven houres in the morneing And if they ſall refuiſe With power to the officeris of the armie to preſſe horſes there or in anie other place where they ſall happin to be in their marche

THE Convention of eſtates Ordaines the gñall of the Artellerie and his deputtis To delyver out of the publict magazen To Sir Williame Cochrane of Coudoun for the vſe of the ſhrefdome of Air ane thouſand muſkettis and bandelieris tuo thouſand weight of matche and ane thouſand weight of ball The gñall of the artellerie and his deputtis firſt receaveing either payment for the ſame or ſufficient ſuretie for reſtoreing als muche back againe to the magazen betuixt and the firſt of may nixt

Order to Cliddiſdail concerning Lawers

THE Convention of Eſtates ordaines the Comittie of Lanerick and Hamiltoun eache of them to provyde fourtie horſe for carieing the baggage of colonell Campbells regiment quartered in their boundis to be at Carnewath on tueſday in the morneing where he is to have his rendevous And to marche frome that towardis dumfreis

Warrand for tranſporting āmunition

THE Convention of Eſtates Ordaines and cōmands Williame Thomeſone To caus tranſport the āmunition appoynted to be given out of the magazen for Colonell Campbellis regiment to the toun of carnewath where they are to have their randevous and to ſie the ſd āmunition be at thame on monday at night And that the baillies of Leith to be aſſiſting to that effect and to provyde and preſſe horſe if neid beis vpon reaſonable pryces

Feild peeces to Lawers

THE Convention Ordaines and cōmands the gñall of the artellerie and his deputtis To delyver to colonell Campbell three feild peeces with 80 ball proportionable ane thouſand weight of powder tuo thouſand weight of Matche and ane hundreth materiallis And to provyde him tuo guneris for the vſe of his regiment goeing to dumfreis

THE Convention of Eſtates Ordaines and cōmands Williame Thomeſone To delyver to colonell Campbell ſo much money as will putt his regiment in equall footeing with the regimentis in Ireland

Orders to rutm^f Drumond

THE Convention of Eſtates Ordaines and cōmands Harie drumound rootmaiſter to marche with all expedition with his troup frome Perth to dumfreis and to be there on thurſday nixt the 18 of this inſtant to attend colonell Campbellis regiment

Baggage horse for Lawers

THE Convention of Eſtates Ordaines and cōmands the cōmittie of warre of the ſhrefdome of Lanerick and Air reſiue to provyde baggage hors for the vſe of Collonell Campbellis regiment goeing to dumfreis according to the information to be given be the ſaid Colonell

Act in favors of L. Balcarras

THE Convention of Eſtates Vnderſtanding that Alexander Lord Balcarres colonell out of his affection to the weale of Kirk and Kingdome did by allowance and warrant of the cōmittie of Eſtates engadge him ſelfe and his freinds for leveying tuo troups of hors in the expedition to England And that the ſaid Comittie did by their act of the date the 30 day of November laſt obleidge themſelffes to releeve the ſaid lord And for that purpoſe gave cōmand to the Lord Humbie gñall cōmiſſar of the armie and his deputtis To mak payment to the ſaid Lord Balcarres of the ſoume of ane hundreth pund ſcottis for each trouper a trumpeter three corporallis and a ſmith in eache troup leveyed be the ſaid lord as the act beires And the eſtates being willing to give all aſſureance to the ſaid lord for his releeffe in this generous vndertaking They doe therefore in ratification of the ſaid act of the cōmittie bind themſelfes to releeve the ſaid lord of his ingadgement foreſaid And for this effect alſo Ordaines and cōmands the ſaid Lord Humbie and his deputtis To mak payment to the ſaid lord Balcarres of the ſaid ſoume of ane hundreth punds for everie trouper trumpeter three corporallis and eache ſmith leveyed be him According to the firſt muſteris and enrolment And that out of the firſt and readieſt publict moneyes being in his hand betuix and witſonday nixt

Compryſeing againſt haddo

THE Convention of Eſtates Ordaines ane cōpryſeing to be led againſt Johne Gordoun of Haddo for compryſeing his lands and heritages at the inſtance of W^am Thomeſone in name of the publict And Archibald Prymeroſe clerk of Counſell for his intereſſ^t for the fyne of ten thouſand punds impoſed vpon Sr Johne Gordoun of Haddo whereof tuelfe hundreth punds is aſſigned be the ſaidis Eſtates to the ſaid Archibald Prymeroſe And in regard meſſ^ris of armes may not ſaifelie repaire nather to the landis heritages and houſſ^t perteining to the ſaid Sr Johne for ſearcheing for his moveable goodis nor to the ground of his landis and duelling hous nor to the mercat croces of Aberdeene and Bamffe within the q^lk his landis lyes to denunce the ſame appryſed nor to warne him and all other parteis haveing intereſſe to ſee the ſaid appryſeing deduced Nor yitt can they repaire to him to cite him perſonallie becaus of the inſurrection in the North wherein the ſaid Sr Johne is a ſpēall actor Therefore the convention of eſtates gives warrant heirby to the lordis of Seſſioun To direct lres of appryſeing at the inſtance of the ſaidis Archibald Prymroſe and W^am Thomeſone for appryſeing the landis and otheris above ſpēit And to give warrant in the ſame to meſſ^ris of armes to denunce the ſaidis landis to warne the partie and all otheris parteis haveing intereſſe at the mercat croce of Edinburgh and Stanehyve becaus there is no ſaife acceſſe to the ground of his landis his duelling houſſ^t nor mercat croces of Aberdein and

bamffe And incaiſe ſaiſe acceſſe be not the tyme of the ſaid denunceation at Stanehyvè then to denunce at the mercat croce of forfar and incaiſe ſaiſe acceſſe be not there at the mercat croce of Couper in fyffe Whilk citation and denunciation and appryſeing following p'vpon The ſaidis Eſtates declaires to be als valide and ſufficient as if the ſame were done perſonallie at his duelling places And vpon the ground of his landis according to the accuſtomed order Wherewith and with the not ſearcheing of his moveable goodis vpon the ground of his landis and at his duelling hous The ſaidis Eſtates in reſpect of the troubles and in the caiſe foreſaid diſpenſes be thir pũts And that the ſaidis lordis of Seſſion grant all other diſpenſations for leading of the ſaid appryſeing Within the tolbuith of Ed[r] Anent the tyme and place

Armes to be sent Northe

THE Eſtates Ordaines the gñall of the artellerie and his deputtis To delyver to the marques of Argyle or anie haveing his warrant fyve hundreth muſkettis and bandelieris eight hundreth weight of muſkett ball tuelfe hundreth weight of matche and eight hundreth weight of pouder for the vſe of the forces that are to goe out of Argile to the North The ſaid marques paying pñtlie for the ſaidis muſkettis and bandelieris Or giveing band to reſtore the ſame or give in als manie to the magazen betuix and the firſt of Junij nixt

Armes to the Vicount of Kenmure

THE Eſtates Ordaines the gñall of the artellerie and his deputtis To delyver to Robert Vicount of Kenmure for the vſe of the ſtuartie of Kirkudbright fix hundreth muſkettis and bandelieris and thre hundreth pickis The ſaid gñall of the artellerie and his deputtis firſt receaveing payment of the ſame Or getting ſufficient ſuretie To give in als manie als good armes to the magazen betuix and the firſt of Junij nixt

EDINBURGH the 16 of Apryle 1644

Materials to be sent North

THE Eſtates Ordaines the gñall of the artellerie and his deputtis To delyver out of the publiet magazen to the marques of Argile or anie haveing his warrand ane pittard fyve hundreth ſpaidis and ſhooles ane hundreth mattokis fyftie axis tua hundreth lances fyve thouſand weight of poulder ſeven thouſand weight of matche and muſkett ball Q'anent thir preſentis ſall be their warrand

Canon at Monroſe

THE Eſtates gives warrand and Comand to the marques of Argile to take ſuche cannon as are at Monroſe or anie other place in the North And to make vſe of thame for the Publict ſrvice as his Lop: ſhall think fitting

Orders to capt iackſone

THE Convention of Eſtates Ordaines and cõmands captane Jackſone maiſter of the ſhip called now imployed in the publict ſrvice To reſave within his ſhip ſuche ãmunition and otheris matteriallis As ſall be directed to him be the Lord marques of Argile And to reſave and obey ſuche orderis as frome tyme to tyme ſall be direct to him frome the ſaid Lord marques or Comittie of Eſtates

Act anent seruants

FORSAMEKLE as the Eſtates of this Kingdome preſentlie conveened Taking to their conſideration the prejudice and henderance that formerlie occurred in the leveyes of the forces to the laſt expedition into England / throw the baſe cariage of ſome ſervantis who being enrolled in one pariſh did furthwith vpon ſome forged pretences Remove frome thair maiſteris to ſome other pariſh and thereby retard the leveyes To the great prejudice of the ſrvice for preventing q'of in tyme comeing The eſtates Ordaines all hyred ſrvantis of all ſortis To ſerve their maiſteris for this pñt vpon the ſame conditions As they have done formerlie And not to remove nor leave there maiſteris ſervice without there conſent in writt / had and obteaned thereto Wnder the paine of fiftie pundis And that no man q'ſoever Reſett thame in anie pairt of the Kingdome without there maiſteris conſent vnder the paine of ane hundreth pundis Beſyde ſuche farder puniſhement both to the ſrvant and reſetter As the Comittie of the ſhyre ſall think fitting And Ordaines thir pũts to be printed [and] publiſhed at all the pariſh Kirkis and mercat croces of the Kingdome Wherethrow nane pretend ignorance of the ſame

Comiſsion to John denholme

THE Convention of Eſtates conſidering how neceſſar it is for mantenance of theſe forces who are to goe to the North for ſuppreſſeing the rebellioun there That there be a cõmiſſar appoynted for attending the ſame And Knowing the affection and abiliteis of Johne Denholme merchant burges of Ed[r] to diſcharge this ſrvice Therefore the ſaidis Eſtates have nominat him to be cõmiſſar to the effect foreſaid And to injoy that place with all the fees and dues belonging thereto With power to him to buy victuall where ever he may have the ſame for mantenance of the ſaidis forces And to give ſuretie to the parties for the ſaid victuall q[lk] ſall be repayed be moneyes to be ſent to the ſaid comiſſar or out of the excíſe or anie other moneyes belonging to the publict As alſua that the ſaid cõmiſſar buy the ſaid victuall vpon his owne credit And the eſtates and their cõmittees ſall be oblidged to releeve him thereof And to repay the ſame to him The ſaid cõmiſſar being alwayes comptable for his ſrvice to the Lord Humbie gñall cõmiſſar for the Armie

Orders to a surgeon in Glasgow

THE Estates Ordaines and cōmandis Mitchelsone surgeon in Glasgow To come out sufficientlie provydit with the forces / that are now goeing to the south And that he come alongis with the forces of Cliddisdaill And course sall be tane that competent allowance sall be granted to him

Orders to Doctor Mayne

THE Estates Ordaines and cōmandis doctor mayne in Glasgow To goe alongis with the forces that are pñtlie goeing to the borderis as phisician to these forces And that he be readie to come out to the gñall Randevous As he sall receave orderis frome the earle of Lanerick And allowance sall be granted to him be the publict

Act concerning the earle of Lanerick

FORSAMEKLE as Williame earle of Lanerick secretarie wes latelie summond to appeare before the cōmittie of Estates to have ans'red vpon his refuiseall at the least postponing to subscryve the solemne league and covenant Being written to be the lordis of privie counsell at the dyett assigned for that purpose And to have heard and seene the certification mentioned in the act of the Comittie of Estates of the 12th of October last decerned against him vīȝ to be esteemed and punished as ane enemie to Religion his mãties honour and peace of the Kingdome And his goodis and rentis to be confiscat for the vse of the Publict And that he sould not enjoy anie benefite place nor office within the Kingdome And for his not appeareance the said certifica°ne wes denunced against him And conforme thereto he wes declaired ane enemie to Religion his mãties honour and peace of the Kingdome And the benefite of the signet wes arreisted in the hands of Mr Harie Mauld deputt to the said earle of Lanerick And wheareas now the said earle hes this day suorne and subscryved the said covenant before the estates of this Kingdome pñtlie conveened And before certaine of the ministrie direct to this purpose frome the Comissioneris of the generall assemblie this day also sitting with heartie expressiounes of his ingenuitie in this mater verie acceptable both to the Kirk and place Therefore the estates of this Kingdome pñtlie conveened as said is declares the said earle of Lanerick to be frie of the saidis lr̄es of declaratioun and sentence therein conteaned and of the said arreistment and what hes followed or may follow therevpon And the whole processe led and deduced against him and the said Mr Harie Mauld or anie otheris concerned heirin to be null and of no force nor effect against thame in time comeing / butt that the said earle is to be reputt ane good patriot and covenanter to injoy his said place and office or what belongis or did formerlie belong to him And be himselfe his said deputt and intrometteris with his rentis and estate To vplift and meddle with the same And with the benefite of his place and office and otheris foresaidis Als freelie in all respects As if no suche proceedor had beene vsed against him Lykeas the said earle of Lanerick wes admitted to the Convention And to have vote and place therein als freelie as anie other Nobleman of the Kingdome hes

Act in favors of John slowan

AT EDINBURGH the sixteene day of Aprile J(m) vjc° fourtie foure yeeres: Anent the supplication presented to the Convention of estates be Johne Slowane and Adame Mitchelsone merchants burgess of Edinburgh makand mention that where they haveing loadned the ship perteining to James Reddie skipper in Bruntyland to Burdeaux in france with wynes And in her voyage comeing for Scotland the said ship with the haill wynes being thereintill / is takin at St Martins yland in the moneth of februarie last be captane Johne Tisone of dertmouth who is imployed and direct out be his mãtie And hes takin the said ship and wynes to dertmouth with the skipper and all his companie Whilk loadning of wynes extends to the soume of eighteene thousand ane hundreth tuentie foure pundis Scottis money As the pryce of ane hundreth and seven tunne of wyne coast be the supplicantis at the first adventure at Burdeaux by and attour the said shipe and charges bestowed be the supplicantis And sieing the said ship companie and wynes is takin by his mãties warrant be reason of the cōmoun cause now in hand covenant and reformation And that they have non to represent their hard conditioun and losse vnto butt the said Conventioun To crave as it is just and reasonable that they may be payed and repaired of suche wrongis and skaith out of the first and readiest of his mãties customes and rentis Humblee desyreing therefore the saidis Estates to have consideration of the supplicantis distrest estate And to give warrand that they may be repaired and payed of the soume above written out of the first and readiest of his mãties rents and customes Lykeas at mair lenth is conteaned in the said supplication Whilk being read heard and considered be the saidis estates and they being therewith and with the recōmenda°ne of the said petition made vnto them be the cōmittie of estates weill advised The saidis estates declaires that his mãties rentis customes and casualiteis are and sall be lyable in payment to the supplicantis of what sall be found they have lost by the taking of their ship and goodis þ'in Extractum de libris actorum Conventionis per me

. . . . . .

THE qlk day þr wes ane Comission past to the earle of Callander to be cheife Comander of the forces to be raised wthin the kingdome Qlk Cōmission he accepted And gave his oath

AT EDINBURGH the 16 day of aprile 1644

E Caſſander to be Commander in Cheefe

THE eſtats of this kingdom taking into their conſideration the manie threatnings of invaſion frome abrod and inteſtine plotts of malignants within To the ſubverting of religioun and diſturbing the peace of the kingdom have thought it neceſſar that this kingdom be putt in a poſture of defence and ſome forces leveyed within the ſame for defending the countrie and purſuing the enemeis p̄of and that ſome able and qualified perſon be made choice of to have cheefe cōmand within the kingdome And having ſufficient prooff of the fidelitie affectioun and abiliteis of James Earle of Calander for that charge They doe therefore nominat the ſaid Earle to be cōmander in cheefe of all the forces that now ar or ſall be raiſed within this kingdome both hors and foot excepting the remainder of the ſeverall regiments raiſed of the fourth man belonging to the armie already in England when they ſall be required and all ſuch men as ſall be neceſſarie to recrute the particular regiments of that armie And gives vnto the ſaid Earle the place foreſaid with all the dues priviledges prerogatives and immuniteis belonging thereto And for that effect to take up a liſt of all the men and armes in euerie ſhire and burgh within the kingdome / the names of their colonells lieutenent colonells majors captans and officers / over whom and euerie one of them he ſall have full power and cōmand in all militarie affaires of whatſomeuer eſtat or degree they be of / and with conſent of the committee of Eſtats to give directions at all occaſions neceſſarie / to draw out to the feilds or putt in gariſoun ſuch number of men out of anie ſhire or burgh at ſuch times as they ſall think fitt And with power to him to appoint Secretareis and others neidfull for his ſervice whois allowance ſall be payed by the publict and to doe euerie other thing that to a commander in cheefe of hors and foot doeth rightlie apperteane And for the better performance heirof The eſtats doeth promiſe to caus all duetifull obedience be givin to the ſaid Earle in euerie thing concerns his charge of all the hors and foot within the kingdom conforme to the articles of militarie diſcipline The ſaid Earle being alwayes anſwerable and comptable for his diſcharge thereof to the Parliament and convention of eſtats or their committees reſiding within this kingdom during the abode of the foreſaids forces within the ſame And when they ſall goe in to England and joyne with the armie on foot there alreadie To receave orders from the Generall of the armie there and to be comptable in maner foreſaid This cōmiſſioun to endure whill it be recalled be the Parliament eſtats or either of their cōmittees

Loudoun Can^{ll}rius
I. P. D. Conveñ

AT EDINBURGH the 16 of Apryle 1644

E. Calander to be Lieutenent Generall

THE eſtats of this kingdome p̄tlie conveenned taking to their conſideratioun the manie threatnings of invaſion from abrod and inteſtine plotts of malignants within for ſubverſion of religioun and diſturbance of the peace of the kingdom have thought it neceſſar that this kingdome be putt into a p̄t poſture of defence and forces leveyed for defending the cuntrie and purſuing the enemeis And finding it neceſſar that all officers of warre be eſtabliſhed for the good of this ſervice and perfytlie knowing the worth and abiliteis of James Earle of Calander to exerce and diſcharge the place or charge of Lieutenent generall of all the ſcots forees who ſall ſerve in this cōmoun caus als weill hors and foot and als weill by ſea as land Therefore the ſaids eſtats with conſent of the lord Generall Have nominat and elected lykeas be thir p̄ts with conſent foreſaid elects nominats and chooſes the ſaid Earle of Calander to be lieutennent generall of all the ſaids forces hors and foot be ſea and land who ſall ſerve in this cōmoun caus With power to him to exerce and diſcharge the ſaid place with all the honnours priviledges digniteis and others q^{t}ſomeuer perteaning and belonging thereto in ſuch ample forme and maner as anie other lieutennent generall in the like kynd aught and ſould doe for better performance q^{t}of The ſaids eſtats does heirby promiſe to give all faithfull and duetifull aſſiſtance to him in execution of his ſaid charge in what he ſall doe or cōmand cōforme to the articles of militarie diſcipline alreadie ſett doun be the eſtats with advice of the lord Generall And incaiſe of anie damnage or loſſe to be ſuſteanned or incurred be the ſaid Earle in his goods or fortouns ather by accepting of this charge or in execution of the ſame The ſaids eſtats ar and ſall be heirby obliged to refound the ſame to him and his ſucceſſors after due examinatioun and tryell p̄of And thir p̄ts To indure ay and whill the ſame be recalled be the Parliam^{t} ꝓventioun of Eſtats or either of p̄ Committees

Loudoun Can^{ll}rius
I. P. D. Convent^{o}

. . . . . .

Comiſsion to the M. of Argyle

THE Convention of Eſtates taking into their conſideration the oppen and awowed rebellioun of the marques of Huntlie the lairdis of Haddo drum ſcheathin Tippertie and otheris there complices To the ſubverting of Religion and diſturbing the peace of the Kingdome And finding it neceſſar that ſome forces hors and foote be leveyed and ſent out for ſuppreſſing of this rebellioun The actoris and aſſiſteris therein and ſecureing the peace of theſe bounds And that ſome able and qualified perſon be made choiſe of to cōmand the ſame in cheefe and all

otheris forces in the North dureing this expedition And haveing ſufficient prooffe of the fidelitie affection and abilities of Archibald marques of Argile for that place They have therefore with advice and conſent of James earle of Callender cheefe cōmander of all the horſe and foote that are or ſall be raiſed within the Kingdome in maner expreſt in the cōmiſſion given to him be the eſtates of the date of thir pñts nominated and heirby nominatis the ſaid marques to be cheefe cōmander of all the forces hors and foote foreſaid And for that effect with power to him with advice of the cōmittie of Eſtates that is to goe alongis with him To draw together the whole ſenſible men in the North as they ſall think fitteing for the ſervice And to purſue with fyre and ſuord and in all other hoſtilitie maner the ſaidis rebellis their affiſteris and ſuche as will not concurre againſt thame And all declaired enemies to Religion his mãties honour and peace of this Kingdome and excomunicat perſons And to demoliſhe and raze their houſſ caſtles toures and fortes ſo farre as he ſall find expedient And to doe everie other thing belonging to the ſaid place whilk he is heirby to bruik with all the priveledges prerogatives and dues belonging thereto / Als fullie and freelie as anie cheefe cōmander of forces may doe firme and ſtable holding and for to hold all and q^tſomever thingis ſall be done be him in the execution of this cōmiſſion q^{lk} is to endure ay and qⁿ the ſame be recalled be the parl^t convention of eſtates or ꝑ cōmittees To whome he is to be anſ^rable and lyable according as he ſall receave orderis

Coñ to the earle Mariſchall

FORSAMEKLE as the Convention of Eſtates have thought fitt that ſome forces be ſent frome this and other places of the Kingdome for ſuppreſſeing the rebellioun of the Marques of Huntlie and his adherentis in the North and ſecureing the peace of theſe bounds And that ſome able and qualified perſon be made choiſe of to have cōmand of the hors to be imployed in this expedition And haveing ſufficient prooffe of the fidelitie and abiliteis of W^{am} earle of Marſchaell for that charge They have therefore with conſent of the earle of Callender cōmander in cheefe of the haill forces hors and foot now raiſed or to be raiſed within this Kingdome Conforme to the cōmiſſion given to him And als with advice of the marques of Argile cōmander in cheefe of the forces to be imployed in this expedition Nominated and appoynted And heirby nominatis and appoyntes the ſaid earle of marſchaell to be cōmander of all the horſſ to be imployed in this expedition With power to him to bruik injoy and exerce the ſaid place with all the fees priveledges and imuniteis belonging thereto Without prejudice alwayes of the cōmiſſion granted to the Marques of Argile to be cheefe cōmander of the haill forces hors and foote to be imployed in this ſrvice This cōmiſſioun to endure ay and while the ſame be recalled be the parlt Conventioun of Eſtates or their cōmittees And be the officeris in cheefe abovementioned to whome he muſt be anſrable for diſcharge of the truſt cōmitted to him

Com: to the Lord Elcho

FORSAMEKLE as the Conventioun of Eſtates have thought fitt that ſome forces be raiſed and imployed for ſuppreſſeing the rebellioun of the marques of Huntlie and his complices in the north And for ſecureing the peace of theſe bounds And that ſome able and qualified perſon be made choiſe of to have cōmand of the foote in his expedition And haveing ſufficient prooffe of the abiliteis of the Lord Elcho for that charge They doe therefore with conſent of James earle of Callender cōmander in cheefe of the haill forces hors and foote now raiſed or to be raiſed within the Kingdome Conforme to the cōmiſſion given to him And als with advice of the marques of Argile cōmander in cheefe of the forces to be imployed in this expedition nominat and appoynted and heirby nominatis and appoyntes the ſaid Lord Elcho to be cōmander of the haill foote that are to be imployed in this ſrvice With power to him to bruik injoy and exerce the ſaid place with all the priveledges prerogatives and dues belonging thereto without prejudice alwayes of the cōmiſſioun granted to the ſaid marques of Argile to be cheefe cōmander of the haill forces hors and foote in this expedition This cōmiſſion to endure ay and whill it be recalled be the Parliament Convention of Eſtates or their cōmittees And be the officeris in cheefe abone mentioned To whome he muſt be anſrable for the diſcharge of this place cōmitted to him

Comittee for the north

FORSAMEKLE as the eſtates of this Kingdome conſidering the open and awowed rebellioun of the marques of Huntlie the lairdis of Haddo drum geight and otheris their complices againſt the peace and proceedingis of this Kirk and Kingdome Have thought fitt for ſuppreſſeing of the ſame and ſecureing the peace of the countrey That ſome forces be direct thither and finding it neceſſar that ane cōmittie be appoynted to goe alongis with theſe forces and to have the governement of the affaires ꝑof And to give their beſt advice and aſſiſtance in what may conduce to the good and ſaiftie of the ſame They doe nominat and appoynt The earles of Murray and Sinclair the Vicount of Arthburnot and frendraught The lords Gordoun forbes fraſer Loure The lairdis of penmure morphie dunerub dunn glenurqhie Cragivar Leſſie forbes grant Innes Johneſton Barclay ſtraloth Sr James Scot of Roſſie Sr James Halkett Leu^t colo: ſcot Leūt Colo: Arnot Leūt Colo: M^cgill maiſter James Baird Robert Burrell in perth Thomas Halyburtoun in dundie maiſter W^{am} more of Aberden Johne Achterlonie in Arbroth maiſter Johne douglas in Elgin George Jameſone in Couper and Andro Gray of

Monroſe beſydes all theſe who are memberis of the cõmittie of Eſtates And are heirby declaired memberis of this cõmittie as if their names were particularlie inſrt heirin With power to thame or anie ſeven of the haill To be a Comittie of the Eſtates To goe towardis the North And to have the governement of the affaires of the forces to be ſent thither and to give there beſt advice and aſſiſtance in what may conduce to the good and ſaiftie of the ſame And to mak and ſett doun ſuche orderis there anent As they ſall think fitting As alſo to provyde victuall and otheris neceſſaris for the ſaidis forces And for that effect To call before thame all ſuche perſons as have ſhowen themſelffes oppoſit or have not given obedience to the publict orderis of the Kingdome And to tak ſic courſe for impoſeing of fynes on thame and vplifting the ſame and ſecureing their perſons As they ſall think fitting without prejudice of anie other courſe or farder fynes to be layed on thame be the eſtates of Parliament As alſo to call before thame all ſuche perſons As are able to len or be their credit raiſe money for ſupplie of the armies raiſed in this Kingdome And to ordaine thame to len ſuche ſoumes as they ſall think fitting Wpon aſſureance of repeyment frome the publict Out of the arreares due to the Armies in England and Ireland Out of the excíſe and out of the readieſt of malignantis Lands and rentis According to the actis and practiſes of the Convention of Eſtates alreadie in force in ſeveral places of the Kingdome And that they give their beſt concurrence for the raiſeing and ingathering of the loane and taxt & excíſe in theſe boundis As alſo with power to thame to give orderis for bringing out of the forces hors and foote appoynted to be brought out of theſe Northland ſhyres And to ſie thame punctuallie Keeped & done And all other actis and ordinances of the eſtates or their Comittees putt to dew executioun And gñallie with power to thame To doe everie thing for ſuppreſſeing the rebellion in the North purſueing the actoris therein their aſſiſteris reſſetteres And all other declaired enemies to the Kingdome And for ſecureing the peace of theſe bounds in tyme comeing for prouyding of victuall and monеyes for our armies And for doeing everie other thing they ſall find conduceing for the good of the ſrvice And furtheranee of the caus wherein this Kirk and Kingdome are ingadgeit Als fullie and freelie as the Conventioun of Eſtates might doe themſelfes They being alwayes comptable for their proceedingis To the Parliament Convention of Eſtates and Comittee at Edinburgh Commanding heirby all officeres ſouldieres Comittees of warre and otheris his mãties ſubjectis to brugh and land of what degrie and qualitie ſoever they be of To reverance acknowledge and obey the ſaid cõmittee and their orderis And to doe nothing to the hinder or prejudice thereof As they will be anſrable This Comittie to endure ay and while the returne of the armie from this expeditioun

Comittee for the South

FORSAMEKLE as the eſtates Taking to their conſideration the practiſes of the enemies of this Kingdome who have now invadit the ſame and in ane hoſtill maner have entered and poſſeſt themſelffes of the toun of dumfreis and other places of the countrey And have thought fitt that ſome forces be raiſed within this Kingdome for purſueing of our faidis enemies and ſecureing the peace of the Kingdome And finding it moſt neceſſar That ane Comittie be choiſen to goe alongis with theſe forces They have therefore nominated and Appoynted the earle of Callender earles of glencairne Caſſillis Annandaill Lauderdaill queēſberrie Home Lanerick Hartfell Wicount of Kenmure Lordis montgomirie fleeming Garleis Sinclair Boyd Bargenie Juſtice clerk Sr James Ramſay S^{r} frederick Hamiltoun Lairdis of Kilbirnie Coudoun Empſfeild Laweris Lag Lamingtoun Ceſnock craufurd of Kerſe Capringtoun Craigie Nithrie Beill S^{r} david Murray Sr Johne Weitch Mertoun Balneill Sr W^{am} Scot Sr Thomas Ker ſreffe of Teviotdaill Craigence colvingtoun Arniſtoun Aitoun waſt quarter Sr James Lockhart Williame Ellot of ſtobes Maiſter George douglas maiſter Johne Corſane Thomas fergiſone Jedion Jack Robert Richardſone James Hamiltoun of Glaſgow Gilbert Richard of Bulſkinen Beſyde all otheris who are memberis of the Comittie of Eſtates and are heirby declaired memberis of this cõmittie With power to thame or anie ſeven of thame To attend the earle of Callender cheefe cõmander of the forces now raiſed within the Kingdome And to goe alongis in this pñt expedition And to have the care and governement of the affaires of the Armie now to be lifted and to give there beſt advice and aſſiſtance in what may conduce to the good of the ſame And to mak and ſett doun ſuehe orderis thereanent as they ſall think fitting As alſo to provyd victuall and other neceſſaris for the ſaid forces And for that end To call before thame all ſuche in theſe bounds as are declaired enemies to religion his Mãties honor and peace of thir Kingdomes for not ſubſcryveing the Covenant Or who have oppoſed the publict proceedingis of this Kirk and Kingdome And to take ſic courſe for impoſeing of fynes on thame and vplifting the ſame and ſecureing their perſons as they ſall think fitting Without prejudice of anie farder courſe to be tane with thame be the Parliament And gñallie with power to thame to doe everie other thing for perſueing our enemies ſecureing the peace of the Countrey Als fullie as the Convention might doe themſelfes They being alwayes comptable for their proceedingis to the parlt Conventioun of Eſtates and cõmittie at Edinburgh This Commiſſioun to endure ay and while the returne of the armie frome this expeditioun

Burley preſident of the Comittee in the North

THE eſtates Nominatis and appoyntis Robert Lord Burley To be preſident of the cõmittie of eſtates that is to goe to the North

Lanerick Colonel

THE eſtates Nominatis and appoyntis the earle of Lanerick to be Colonel of the shirefdome of Lanerick and of the forces þat are now to be brought out of the ſame

Kingorne &c Adioynd to the Cõmittee

THE Eſtates Adjoyns the earles of Kingorne & Lanerick and the lord Juſtice Clerke to the Cõmittee of Eſtats And ordans thame to be ſworne & reſsaved accordinglie

Glencairne

THE Estats Nominats E Glencairne to be Colonel of the forces now to be brought out of Air & Renfrew

Non covenenters Rents

THE Eſtats Recomends to thair Comittee To tak ſome ſpeedie courſe for vplifting the rents of noncovenanters

THE Eſtats Ratefies & approves the proceedings of the Comittee of Eſtats And renewis the power granted to thame and to the Colonels & Cõmittees of warre in the shyres

Some adioynd to the Comittee of Lanerick

THE Eſtats adjoyns Sr James lokhart of Lee / Sr Wm Lokhart of Carſtaires James Lokhart of dreghorne & Ro^t hamilton of Torrence To the Comittee of warre in the shirefdome of Lanerick And ordans thame to be admitted & ſworne accordinglie

Reference concerning the Armie in Ireland

THE Eſtats Recõmendes to thair Comittee To give anſ^r to the inſtructions ſent frome the ſcots Armie in Ireland and to the petitions exhibit in favors of the Vicount of Airds and the relict of Lieũt · Colo: Leslie And Declars that what the Comittee ſal doe þ^in / ſall have the force and auctie of ane act of the Eſtats And ſall be als obligatorie on this kingdome As if the ſame were done be the Eſtats

Vicount Kenmure Colonell

THE Eſtats Nominats & Appoynts Robert Vicount of Kenmure Tobe Colonell of the Stuartrie of Kirkcudbright / and that part of the shirefdome of Wigton whiche is not vnder the earle of Caſsills Comand And recomends to his ł^p To goe ſpeedilie about the diſcharge of this truſt cõmitted to him be the Eſtats

Comittee to goe south

THE Eſtats / Declars þat iff it ſall happen the forces Vnder the Comand of the earle of Callander To goe into England & joyne wth the Armie þ^r / then & in þat Caiſe dureing the joyneing of the Armies / the power of the Cõmittee þat gois alongs wth theſe forces ſall ſurceaſſe.

THE Eſtats Adjoyns the Lord Gordon Sr Wm Dick & Sr Wm Gray to the Comittee of Eſtats. And S^r W^m dick being perſo^lie p^nt accepted the charge & Gave his oath de fidelj & c^a

Lord gordon & others adioynd to the Cõmittee

THE Eſtats Recomende to thair Cõmittee To anſ^r the l^re ſent from the Cõmiſsioners at London.

THIS day orders were direct to the haill shyres on this syde of Forth To repaire wth thair hail horſe and the nomber of foote formerlie layed on thame and 20 dayes proviſion to douglas on Monday nixt

THE nixt meiting of the Convention to be on the 24 of May

AT EDINBURGH the 25 of May 1644

SEDERUNT

Chan^r	Kirkcudbrigh
Caſsills	forrester
Glencairne	Barganie
Dumfermline	Elibank
Lauderdail	
Louthian	
Lanerick	
Sinclar	
Balmerino	

Shyres.

Ed^r	Wareſton.	Preſton
ffyffe	Denmynle	Bogie
Lithgow	Maner	Carlowrie
Lanerick	Dalserfe	
Stirlin	Buchannan	Carnock
Hadinton	Wauchton	
Pebles	Dawick	
Air	Kilbirnie	Cowdon
Roxburght	Sr Tho: Ker	Lochtour
Renfrew	Greenok	
Selkirk	S^r W^m ſcot	

Ed^r	Sr John smith	Ro^t meikleion
Dundie	George Broun	
Stirline	Thomas Bruce	
Lithgow	George Bel	
S^t andrews	Ro^t tailzeour	
Hadinton	Richard chaipland	
Kirkcaldie	John W^mſone	
Bruntyland	George gardin	
Dumfreis	George Jonston	
Kingorne	M Ro^t cunynghame	

Comittee for money

FORSAMEIKLE as dureing the tyme of this Convention & enſueing Parliam^{t} the moſt part of the members of the Cōmittee of Eſtats will be employed in theſe Judicatories And it being neceſsar þ^{t} in that tyme all meanes be vſed for bringing in of money for the vſe of the publict And þat a Cōmittee be appoynted still to attend the same Thairfore the Eſtats Nominats & appoynts the E. of Caſſills lauderdail Lanerick Yeſter forreſter Barganie Juſtice clk Preſton Denmylne Bogie Sr Ar^{d} Campbel Pitlethie S^{r} W^{m} dick Ar^{d} ſydſerfe James ſtuart George gardin or anie seven of thame To be a Comittee to call before thame ſuche perſons as are able to len or be thair credit can raiſe money To len ſuche ſoumes as the Cōmittee ſall think fitting and to give publict ſuretie alſ fullie as the Comittee of Eſtats might have done / And wth power to thame To ſetling anie difference anent the vplifting of the Excyſe And to take courſe for vplifting of malignants rents

Comittee for proceſs.

THE Eſtats Nominats the earles of Lauderdail Lanerick Wareston / Sr Tho: nicolſon & P. of Ed^{r} To be a comittee To meit wth the advocats of Eſtate for preparing of proceß of ſuche as are ſumoned to the Parliam^{t} / And to take the depoſitions of ſuche perſons as are in priſon / or anie others þ^{t} may conduce to the Cleiring of theſe proceſſe

Comittee for the magazen

THE Eſtats appoynts the earle of Louthian Denmylne S^{r} Ar^{d} campbel Preſton Sr Wm Dick & Ar^{d} ſydſerfe To view and take inventar of the magaſen And of the bande given be the shyres for furnisheing of Armes To the effect they may be requyred To performe accordinglie

Precept for the Armie

THE Eſtats Ordans W^{am} thomeſon To delyver to John tueedie fyftene hundreth punde sterline for the vſe of the Armie in the South as being a part of the tua thouſand punde formerlie appoynted for þ^{t} vſe

John Campbel

THE Eſtats Ordans John campbel To ſend p̃thie over to Ireland the Thouſand muſkets lying at Glaſgow

ED^{R} 30 May 1644

Mr Argyls cōmiſsion prorogated

THE Eſtats Prorogats & Continowis the Comiſsion of Leiutenandrie granted to the marques of Argyle and his deputts againſt the Clandonald and others þ^{r}in conteaned till the firſt of July nixt wth the allowances granted for þat ſrvice

Act anent Co: Claverin

THE estats allowis the earle of Dumfermline to ſend one to Colonel Claverin wth a warrand to captane Lyll to putt him to libertie Takeing his word of honor To appear furthwth before the Convention or þ^{r} Cōmittee

Act for shyre of Roxburgh

THE eſtats ordans the halfe of the nomber of horſe & foote / formerlee Layed on the shireſdom of Roxburgh in the laſt expedition / to be putt out be be thame in this expedition And that out of the haill Lands q'of they putt out men formerlie be warrand frome the Estats

Comittee of Roxburgh

THE Eſtats adjoyne the shireff [of] Teviotdail and Andro Ker of Maſsindew to the Comittee of warre of Roxburgh And ordans thame to be reſsaved and admitted among thame accordinglie

Magasen

THE Eſtats Ordans John acheſone. To have a care to employ ſome men in fixing the muſkets þ^{t} are in the magaſen

31 May 1644

Quartering of sojours

THE Eſtats Nominats & Appoynts Denmylne & James Stuart To pervſe the accompte of the quartering of the regiments that come out of Ireland in the shireffdome of Lanerik & burgh of Glaſgow and to report

Act in favors of Colonel Stuart

THE Estats haveing hard the deſyre of Colonel W^{m} ſtuart That he may vplift the rents of the lands of Bargalie and Barehoyis purchaſed be him frome John maxuel of Druncoltrum And that in regarde the ſd Colonel wes neceſſitat before the perfyting of the ſde ſuirties to goe to England wth the Armie And now the ſd John Maxuel is gone to England wth the earle of Montroſe and darre not come in / and the terme of Whytſonday approaches when the ſds lands moſt be ſett and the dueties & rents þ'of vplifted othervayes the land will be layed waiſt The Eſtats in regard of the ſd Colonell his neceſſarie employment in England Allowis him or anie haveing his warrand To intromett wth the rent of the ſds lands of Bargaly & Barhoyis for the crop 1644 The ſd Colonel finding caution for makeing the rents þ'of furthcōmand to the publict as he ſall be requyred

Comittee for the Parliam^{t} hous

THE Eſtats nominats the E. Glencairne Caſsills lauderdail Lanerik Yester L Balmerino Barganie Halkerton Cowdoun Waughton & Wareſton Ed^{r} Dundie S^{t} andrews Glaſgow To meit & Conſider on the beſt way of ordering the Parliam^{t} hous And whither or not it be fitting that the members of Parliam^{t} ryde to the hous or not

Sr Johne Veitche

THE QLK DAY Sr John Veitch Offered to the Estats that they giveing him power To intromett wth the earle of Traquaires rent for the Crope 1643 he would not onelie pay all publict dues wth the ärent of lawful creditors Bot would p̃tlie give in to the publict ane thouſand punds sterlin Qlk offer the Eſtats accepted And granted his deſyre

EDR 3 Junij 1644

Ordor of the Parliam^t hous

THE Estats Ordans the Noblemen who are to be p̃t at the Parliam̃t the morne To ſitt in thair robs / And that a clothe of State be there / and the Crowne ſword & ſceptor be Lykewayes p̃t as in former Parliam^ts And þat the Parliam^t be fenced the morne at thair meiting And abſents amerciat conforme to the acts of Parliam^t Inreſpect they were warned apud acta

Hartfell &c.

THE Eſtats remits to the Parliam^t the depoſitions of the Earle of Hartfell & Laird of Amiſſeild

Wm Jonston

THE Eſtats allowis Wm Jonſton ſecond lauful ſone to the earle of Hartfel To reteir home to the countrey for ſuche neceſſarie affaires as ſall concerne his father or him And þ^t no^tw^tſtanding of anie act q^tby he wes obleidged to the Contrarie W^tanent the Eſtats diſpenſ^d be thir p̃ts

Callanders Comiſsion

THE Eſtats Remitts to the Parliam^t To take ſome courſe for clearing the E · of Callanders Cōmiſsion

Comiſsions

THE Eſtats Ordans thair Clerk To give out vnder his hand a juſt copie of ſutche Comiſsions as are direct both for Convention & Parliam^t In reſpect he is to keepe the prin^ll

THE Eſtats Remits to the Parliam^t to take to þ^t conſidera^on the propoſitions of peace ſent frome the Comittee of both Kingdoms

HERE ends the acts of Convention

ARCH: PRIMEROSE Cler^

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Apud Edinburgh,

IV DIE JUNII, A. D. M,DC,XLIV.

IN THE FIRST SESSION OF THE THIRD PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Edinburgh and begun the fourth of June 1644.

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PRESENT

Lord Chancelor	Lord Jester
Marq: Argyle	Lord Elphinston
E · Sutherland	Lord Burlie
E · Mar	Lord Balmerinoch
E · Marischall	Lord Forrester
E · Glencairne	Lord Barganey
E · Cassiles	Lord Elibanke
E · Dumfermling	
E · Haddingtone	
E · Lauderdaill	
E · Louthean	
E · Perth	
E · Lanrick	
E · Linlithgow	
E · of Wymes	

COMMISSIONERS for the Shyres present

Edinbrughe	Sr Archbald Jhonſtone of Wareston
	Sr Patrick Hamilton of Preston
Fyffe	Sr Johne Aytone of þe ſame
	Dauid Betton of Creighe
Inuerneſse	
Argyle	Jhone Campbell of Archatane
Linlithgow	Mr George Dundas of Maner
	Samuell Dundas of Carlaurie
Lanrick	Sr William Carmichaell
	William Hamilton of Dalserffe
Dumfreis	Sr Robert Greirsone of Lag
	James Douglasse of Mosall
Dumbartane	
Striueling	George Buchanan of the ſame
	Sr Tho: Nicolsone of Carnock
Hadingtone	Sr Johne S^t clair of Hermiſtone
	Patrick Cockburne of Clerkington
Berwick	Sr Alex Suynton of þe ſame
	Mr Alex · Belchis of Toftis
Sutherland	
Clackmanan	Sr Charles Erskyne of Cambuſkenneth
Elgyne	
Nairne	Ogiluey of Bamffe
Peibles	Sr Dauid Murray of Stenhope
	Sr Johne Weitch of Dauick

Bute	S[r] Ja: Steuart of Kirktone Sheriffe
Aire	S[r] Jo: Craufurd of Kilburney
	Sr William Cochrane of Coudoune
Kincardin	S[r] Alex: Falconer of Halcartone
	S[r] Alex: Carnegy of Pittarrow
Roxbrughe	S[r] Thomas Ker of Cauers
	Jo: Ker of Lochetouer
Perth	S[r] Jo: Haldan of Gleneggies
	M[r] Francis Hay of Bousie
Kirkcubright	Williame Greirsone of Burgatton
Wigtone	James Mackdouell of Garthland
	Andrew Agnew fear of Lochnaw
Aberdeine	S[r] Williame Forbes of Cragiewar
	Tho: Erskyne of Balhagartey
Renfrew	Jo: Birsbane of Bischopetoune
	Jo: Shaw of Greinocke
Forfar	Fredrick Lyone of Brigtone
	Patrick Crightone of Ruthen
Selkirk	S[r] William Scot of Harden
	Robert Scot of Hartwoodmyres
Orknay	
Cathnes	

COMMISSIONERS for the Burroues present at this Parliament

Edinbrughe	S[r] Jo: Smythe
	Rob: Meiklejohne
Perth	Robert Arnot
Dundie	Tho: Halyburton
Striuelinge	Tho: Bruce
Linlithgow	George Bell
S[t] Andrewes	Jo: Lepar
Glasgow	James bell
Aire	Jo: Osburne
Hadington	Richard Caplaine
Dysert	Will: Symsone
Kircaldey	James Law
Montrois	Rob: Beatie
Couper	George Jamesone
Anstruther Easter	Will: Hamiltone
Drumfreis	Geo Jhonston
Brunt Iyland	Geo: Gardyne
Inuerkething	Marke Kinglessey
Kingorne	M[r] Rob: Cuninghame
Brechin	Dauid Donaldsone
Iruinge	Allane Dunlope
Jedbrughe	Adam Broune
Kirkubright	Jo: Crosbie
Wigtone	Patriek Hanna
Pettenweyme	Walter Airth
Anstruther Wester	Normand fairfull
Selkirk	Will: Elliot
Dumbar	James Purwes
Dumbartane	Jo: Semple
Renfrew	Jo: Somerweill
Lenrick	Gedeon Jacke
Peebles	Ja: Williamsone
Caraill	Ninian Hamilton
Culrose	Archbald Merfler
Bamffe	M[r] Alex: Douglas
Forfar	James Peirsone
Ruglen	Jo: Scott
Lauder	Alex: Wilkiesone
Queinsferrey	Rob: Hill
Arbrothe	Jo: Ochterlonie

BURROWES ABSENT

The first day of pe parliament and most part of it wer

Inuernesse	Forres
Dumfermelinge	Northberwick
Elgyne	Cullane
Nairne	Annan
Tayne	Sanquhar
Rothsay	New Galloway
Whithorn	Dornoche
Lochmaben	

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ACT anent the election of John Earle of Lauderdale to be Prefident in this Parliament

4. Junij, 1644.

FORSAMEIKLE as the Eftates of Parliament 1
prefently conveened this 4. of June 1644. years, which is the day appointed by the laft Act of the laft Parliament holden by his Majeftie and three Eftates, in Anno 1641. years, to be the day of meeting and conveening of the next Trienniall Parliament thereafter, Taking to their confideration, that the Kings Majeftie and Eftates of Parliament, by the 50. Act of the laft Parliament, Intituled, Act anent the election of the Prefident of Parliament; Hes ordained, that in all fucceeding Parliaments, after taking of the Oath of Parliament by all the Members thereof, they fhould make choife of the Lord Chancellour, or any other, the King or his Commiffioner and Eftates of Parliament fhould appoint to be Prefident of Parliament, who fhould remain and continue Prefident alfwell in that Parliament wherein he is chofen, as in the next Parliament fubfequent, untill the faid Oath be taken, and another chofen to be Prefident in his roome. According whereunto, John Lord Balmerino Prefident of the laft Parliament having miniftred the Oath of Parliament to the whole Members thereof prefent, and repreſented to them, and caufed read the faid 50. Act. The faids Eftates of Parliament did unanimouſly after voycing, elect and chooſe John Earl of Lauderdale to be Prefident of this Parliament, conforme to the foreſaid 50. Act of the laft Parliament, made anent election of the Prefident of Parliament.

VII JUNII.

2 ACT of approbation and exoneration to the Lord Balmerino, anent his charge of being Prefident in the late Parliament.

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3 ACT anent the initiall words to bee prefixed to every Act done in this Seffion of Parliament.

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XI JUNII.

4 COMMISSION to the Earle of Callender, to be Lieutenant Generall.

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5 ACT of approbation and exoneration, to Sir William Scot of Harden, and Sir Thomas Ker of Cavers.

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6 ACT continuing the fitting of the Seffion to the firft of November 1644.

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XII JUNII.

7 ACT of approbation and exoneration, in favours of the Marqueffe of Argyle.

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8 ACT in favours of the Earle of Roxburgh.

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XIII JUNII.

9 ACT of approbation and exoneration of the Lord Burghly, and remanent of the Committee at Aberdene.

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10 ORDINANCE in favours to the Lord Scottiftarbet, anent the Regent of humanity in Saint Leonards Colledge.

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XIV JUNII.

ACT anent theſe who are or ſhall be found Fugitives and Run-awayes from their Companies and Colours.

11 THE Eſtates of Parliament preſently conveened by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Taking to their conſideration the great prejudice and danger which may ariſe to the Armies raiſed and to be raiſed, for defence of Religion, Liberties, and Kingdomes, by reaſon of ſome, who having gone or ſhall go out with the ſaids Armies, have run away, or may hereafter run away from their Companies and Colours. For remedy whereof, It is ſtatute and ordained, that all thoſe both of Horſe and Foot, who ſhall run away from their Companies and Colours, without a Paſſe, ſhall be apprehended by the Colonels and Committees of Warre within ilk Shire and Diviſion, Captains of Parochines, or Magiſtrates within Burgh where they dwell, and others whom they ſhall appoint for that effect, where-ever they can be found, and ſent again with all diligence to their Companie and Colours, upon the publick charge, which is to be advanced by the Collectors of the Excife, and allowed in their compts; There to be puniſhed conform to the Articles of Military Diſcipline: Or elſe that the Committees of Warre, and Colonels within ilk Shire, and Magiſtrates within Burgh (if they think it expedient for the good of the Armies, and terrifying others from running away in like maner) decimate the ſaids Fugitives, both Horſe and Foot, being apprehended, and cauſe hang the tenth man of them, and eſcheat their goods for the uſe of the Publick: And if there be but one or more of them within tenne, to cauſe hang one of them, albeit there be but one, and cauſe ſend the reſt of the ſaids Fugitives, Horſe and Foot, to the Committee of Eſtates at Edinburgh, upon the expences of the Publick, as is aforeſaid, to be ſent back to their Colours, in manner as the ſaid Committee ſhall think fit. And becauſe the reſetting and entertaining of the ſaids Fugitives, imbolds and incourages them to keep themſelves ſtill lurking, and incourages others by their example to run away; Therefore it is ſtatute and ordained, that whoſoever ſhall keep, reſet, or entertain the ſaids Fugitives, Horſe or Foot, or ſhall have knowledge of their being within their bounds, & ſhall not delate & deliver them to the ſaid Committee, Colonels of Shires, Captains of Parochines, or Magiſtrates within Burgh, with all poſſible diligence; then the ſaids Reſetters or Concealers, ſhall be repute and eſtimate as diſaffected, and Enemies to Religion, their Countrey, and the Cauſe preſently in hand, and ſhall be accordingly puniſhed by the Committee of Eſtates, or Committees and Colonels

of War where they dwell, or Magiſtrates within Burgh, and ſhall be lyable in the ſumme of five hundreth Merks for every Horſeman, and one hundreth pounds for every Footman they ſhall be found to have reſet in manner foreſaid: The one half whereof ſhall be imployed for the uſe of the Publick, and the other half of the ſamine ſhall pertain to whatſoever Perſons that ſhall delate the foreſaids Perſons, Reſetters, and Entertainers, and who ſhall qualifie the foreſaid Reſet and Entertainment; To whom the ſaids Eſtates promiſeth hereby to grant and diſpone, and by thir preſents grants and diſpones the preſent right of the ſame. And if the Committees and Colonels of Warre within each Diviſion, or any perſon being thereupon, Captains of Parochines, or Magiſtrates within Burgh, ſhall be negligent in taking order with the foreſaids Fugitives and Run-awayes from their Colours, and with their Reſetters and Entertainers, or ſhall delay and be deficient in putting of this Act to execution, after the form and tenor thereof: ilk Perſon of the ſaids Committees of War, Colonels, and Captains of Parochines, and Magiſtrates within Burgh, ſhall pay the ſum of five hundreth Merks, for ilk failzie, toties quoties; the one half of which Fyne ſhall pertain to the Publick, and the other half thereof to the Perſons delaters. And alſo it is ſtatute and ordained, that if it come to the knowledge of any Perſon, who have or ſhall happen hereafter to outreach Souldiers on Horſe or Foot, that theſe outreached by them are diſbanded and fled from their Colours, the ſaids out-putters of them ſhall be obliged to ſearch, ſeek, and apprehend the ſaids Fugitives through their whole Bounds and Lands, within whatſoever Paroch or Burgh the ſaids out-putters dwels, and ſhall either apprehend and appreſent them to the Committee and Colonels of the Shire, Captains of Parochines, or Magiſtrates within Burgh, that order may be taken with them, conform to the tenour of this preſent Act. Or elſe if they be without their own proper Lands, to require the Heritor, Bailie, or Officer who hath charge of their affairs, to produce the Fugitives delated by them to be within their Bounds, before the Committee of the Shire: Or otherwiſe to aſſiſt the ſaids out-putters, in ſearching and apprehending the ſaids Fugitives, as they will bee anſwerable within the bounds foreſaids. And if the ſaids out-putters and others, ſhall be negligent to do their exact diligence therein, the ſaids out-putters ſhall be obliged to make vp their number, by out-putting of men in their places, ſufficiently provided in Armes, and others neceſſaries, upon the ſaids out-putters own expences, and the Fugitives themſelves to be ſearched, apprehended, and puniſhed, as ſaid is. And it is ſtatute and ordained alſo, that the Captains of Parochines, who ſhall apprehend the ſaids Fugitives, or Magiſtrates within Burgh, ſhall produce the ſaids Fugitives before the Committee of Warre within their bounds, at the next meeting of the ſaid Committee, under the pains to be puniſhed and cenſured as Reſetters. And it is ordained likewiſe, That the Magiſtrates of Burghs, within whoſe Bounds the ſaids Fugitives ſhall be apprehended, ſhall receive the ſaids Fugitives from the ſaid Committee, to be keeped by them in firmance, upon the charge of the Publick, to be advanced forth of the Excize, and with all diligence to be ſent to the Committee of Eſtates at Edinburgh. Likeas it is ſtatute and ordained, that this preſent Act ſhall bee extended againſt all Reſetters, Fugitives, Committees of Warre, Colonels, Captains, and Magiſtrates of Burgh, and others foreſaids, for any reſet or neglect of the diſcharge of their duty reſpective abovewritten, in any time coming, after the publication of thir preſents, as well for Run-awayes and Fugitives, who have run away in any time by-gone, from any of the Armies levyed heretofore within this Kingdom for this common Cauſe, as for theſe who ſhall be levyed and run away in time coming. And ordaines this preſent Act to bee printed, and a Copie thereof to be ſent to every Paroch Kirk, and every Committee of Warre, and every Burgh within ilk Diviſion within this Kingdom, and that it be read at ilk Paroch Kirk, upon the firſt Sunday after the receipt hereof, and thereafter fixt on the Kirk door, or wall, to be read by every Perſon, that none pretend ignorance. And farther, leſt the Fugitives that ſhall run away, as ſaid is, might be ſuffered to lurk and eſcape unpuniſhed: It is ſtatute and ordained, That no ſtranger ſhall be received within any Pariſh or Shire, who ſhall not have a Paſſe from ſome Colonell, or a Teſtimoniall from the Miniſter and Seſſion from whence they come, and who ſhall reſet any ſuch Perſon without Paſſe or Teſtimoniall, and ſhall not delate them, ſhall incurre the puniſhment of Reſetters of Fugitives. And Ordains the Committee to be appointed by the Eſtates, to ſee the whole Heads and Articles of the Act foreſaid put to a full execution.

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RATIFICATION in favours of the Lord Scottiſtarbet, anent the Regent of humanity in Saint Leonards Colledge. 12

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XVIII JUNII.

ACT in favours of the Town of Edinburgh discharging the market at Brighouse-Know. 18

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XIX JUNII.

14 COMMISSION for these that goes along as a Committee, with the Earle of Calenders Armie.

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15 ACT of Approbation and exoneration to Captain Wallace.

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XXI JUNII.

16 COMMISSION to Sir James Ramſay to be Generall Major to the Horſe, with the Declaration and Inſtruction thereintill.

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17 ACT and Commiſſion Earle of Caſsils contra Shireff of Galloway.

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18 ORDINANCE in favours of the Miniſters that hes beene plundered, and wants their by-gane ſtipends.

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XXII JUNII.

[LETTER from the Committee with the Army]

For the Right hono^ll^

THE Estats of the kingdome of Scotland conveened in Parliament at Edinburgh

May it pleaſe yor L̃ps

YO^R^ meitting together at this tyme in Parl^k^, & the opportunity therby offered vs to give yow an account of the p̃nt Condition, reſolutions, & juſt deſires of this army; hath moved vs for that purpoſe to make this addreſſe vnto yow, being thereunto obliged by the dewty wch wee ow both vnto yor L̃ps and vnto them and ſo much the rather that the Conſideration of o^r^ Condition and the power of graunting o^r^ deſires doeth properly & originally belong vnto yor L̃ps,

WEE are now (as wee have beene this moneth past) lying befor & about the city of York Prince Rupert is come into Lancashire & hes already raiſed the ſeige at Latham houſe there And by vertew of the Commiſsion of array is labouring to compell all the inhabitants of that county (and it is ſuppoſed he intends to do the lyke in Westmereland) that are able to beare armes to ryſe & joyne wth him: for the preventing wherof & for the encourageing of the inhabitants of theſe countyes to joyne together in oppoſition to him; as wee have already ſent S^r^ Jo: Meldrum wth tuo regim^ts^ of foote on from this and another from the Lord fairfax his army into that countrey who are now in the toun of Manchester So ther are alſo ſent from ther armyes tuo thowſand horſe & dragouners to joyne wth the erle of Manchesters wholl cavalry who are to ly vpon the borders of York & Lankashires. And in the meane tyme the erle Manchesters foote are to joyne wth vs in this ſeige of York wherof wee shall not faill to give yow a trew account according as wee shall have occaſion. This being o^r^ p̃nt condition Wee find that by o^r^ keeping of the feilds theſe full five moneths o^r^ regim^ts^ are become ſomewhat weaker then they wer at the beginning wherunto wee are not to expect any recrues from this Wee do therfor intreat yor L̃ps to think vpon ſome courſe for recruting of the seuerall regim^ts^ wch are already in this army and to give ſpeedy & effectuall order to the rest formerly deſigned wch are not as yitt come out to march into this kingdome & joyne wth vs. Whill wee mention this Wee muſt renew againe vnto yor L̃ps what wee formerly deſired from the Committee in the behalfe of the Lieut: g̃nall that a regim^t^ may be reſerved for him to be collonell therof This is a favor almoſt never denyed to any of his place & howbeit it had not beene promiſed him yett his awne cariage & deſervings heir may juſtly challenge it. Wee are very confident that it is nowayes neidfull for vs to vſe any argum^ts^ wth yow for the renewing in favors of this army & the perſones employed in it all acts formerly made in the late Parl^t^ in favors of that army then employed in this ſame cauſe as namely, anent the wards of ſuch as shall die in this ſervice; the diſchargeing of all proceſses in any inferio^r^ Courts ag^t^ any employed heir during thair employm^t^ or any other acts of that kind: ſeing therby w^th^out doubts or feares to ſuffer prejudices in thair privat estats the officers of this army will be encouraged constantly to attend thair seuerall charges

HAVEING ſaid this in the behalfe of the army in G̃nall wee muſt p̃icularly recomend vnto yow the condition of o^r^ g̃nall of artillary a prime officer therof in whoſe favo^rs^ the late parl^t^ vpon deſerving & hono^ll^ Considerations well knowne to them & vs did recomend to his Ma: the renewing of a penſion [of] 800 lib ſter formerly payed to him yeirly out of the exchecq^r^ of England (wherw^th^ his affection to this cauſe made him willingly to part howbeit it wes his wholl fortune) to be in tyme comeing wth the arrearages therof during his lyftyme payed by the exchecq^r^ of Scotland (And that for his further ſurety) out of the cuſtome & impoſt vpon the wines Heirunto his Ma: at their earnest deſire w^th^out the

knowledge or privity of the partie himſelfe wes moved to condiſcend. This being ſo wholly & properly a deid of the Parl^ts he had good reaſone to expect punctuall paym^t according to the tenor of his gift. Bott all this notw^thſtanding immediately after his Ma: parting the lords of the exchecq^r finding that his Ma: by granting promiſcuouſly to multituds of perſones howſoever affected gifts of pension and by aſigneing of localities in them wes lyke to dilapidate his wholl revenew in that kingdome did abſolutly w^thout exception diſcharge all localityes in any pension wherby he is lyke to be defrauded of the benefite wch the Parl^t it ſelfe did intend for him heirof wee cannot bot acquaint yor Lp̃s aſsureing o^r ſelvs that vpon the ſame grounds whervpon that gift wes wth the expreſse locality graunted, yow will in the ſame maner renew and take ſuch courſe as no decreit of any inferio^r judicatorie may alter or infringe it in the leaſt meaſure heirw^th wee take o^r leave & reſt

Yo^r humble ſervants
Lindeſay I P D

WEE have ſo often written to the Committee for providing of armes both for ſerving the kingdome at home & furniſhing this army wth ammunition piſtolls muſkets meale & cloaths & shoes, that we conceive it not needfull for vs to putt yow in minde therof. Yow ſhall heirw^th reſsave a lr̃e from the Parl^t of England

From the leagre befor York
firſt day of June 1644

22 Junij 1644

Pduced be my Lo^r chan^r & Red in audience of the parliament & remittit to be conſidderit vpoun be the ſeverall bodeis.

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XXV JUNII.

ACT for putting forth of Horſe and Foot, both for By-gones, and in Time-coming, and anent thoſe who are deficient thereintill.

19 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Taking to conſideration the many Acts of Convention and Committee of Eſtates, Ordaining all the Shires and Diviſions of this Kingdome to have put forth their Horſe and Foot for their firſt and ſecond Leavies, according to ſeveral proportions laid upon them, for the Defence and Preſervation of Religion, Crown, and Kingdome: Notwithſtanding whereof, there is ſuch deficiencie of the number of Horſe and Foot due to have been put out by the moſt part, if not all the Shires of the Kingdome, that the March of the Army have been and is daily retarded, the Publike heavily prejudged, and the ſeverall Regiments is much ſhort of that ſtrength they were expected to have been.

THEREFORE the Eſtates of Parliament, for advancement of the preſent Service, and preventing the like remiſſeneſſe in time coming, Have thought fit to Fine, and by thir preſents Fines every Heritor within the Kingdome that ſhould have put out Horſe in the firſt and ſecond Leavies, and was deficient therein, in the ſum of Four hundred Merks for ilk Horſeman, and One hundred Pounds for ilk Footman. And for the better payment of the ſaids Fines, Findes that the eſtates of the deficients, either reall or perſonall, ſhall be lyable aye and while the ſame be paid. Of the which ſum of Four hundred Merks of Fine for ilk Horſeman, there is allowed to the Committee of the Shire, who ſhall bee alwayes obliged for the out-reiking of the Horſe in time-coming, the ſum of Eightſcore Pounds in the firſt and readieſt of the ſaid Fine, & the ſum of fourty pounds for the outreiking of ilk Footman: And the remanent of the Fines to be divided equally, the one half to the Publike, and the other half to the Committee of the Shire or Diviſion for incident charges. And for the better regulating of the putting forth Horſe and Foot in time-coming of ſuch that will not fall to put forth one whole Horſe or Footman: It is declared, that the greateſt Rent of theſe to be joyned for making up one Horſe, ſhall provide the Horſe, and the reſt that joyneth to contribute according to Eightſcore Pounds for ilk Horſeman; and who have the manieſt men to provide the Footman: and the remnant that joynes to contribute with him, according to Fourty Pounds for ilk Footman, for their out-reik of Armes, and whole Furniture belonging to them: and where the Rent or number of men are equal, amongſt the joyners to caſt lots.

AND it is ſpecially provided, where any Colonels, Root-maſters, or Captains, for their affection to the publique Service, have out-reiked Horſe or Foot by their own proper means and expences, ſhal have repayment of the ſaids deficients reſpective, off the ſum of Two hundred Merks for ilk Horſeman, and Fourty Pounds for ilk Footman. The ſaids Colonels, Root-maſters, or Captains, alwayes inſtructing to the Committe of the Shire or Diviſion, the number of Horſe and Foot out-reiket by them upon their own proper charges. And the ſaids Two Hundred Merks to be paid by the ſaids Deficients to the Colonels and others upon their inſtructing of the ſame, within the ſpace of fifteen dayes thereafter, under the pain of doubling of the ſaid ſum of Two hundred Merks. And recom-

mends the care of the out-reiking of the ſaids Horſe, and up-lifting of the ſaids Fines, to the Committee of War within ilk Shire or Diviſion, as they will be anſwerable to the Eſtates, and to report the number of the Deficients, and their diligence herein, before the firſt of Auguſt. And this preſent Act no wayes to be extended againſt thoſe Shires be-North Dee, who in regard of the Troubles, have been impeded in their out-reik: providing they out-reik the ſame before the fifteenth of July next to come

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XXVIII JUNII.

INSTRUCTIONS for the Com^re who ar to goe to England

1. YOW shall contribute your beſt endevoirs to proſecute the former Inſtructions given by the Convention of Eſtates for intertaining the mutuall confidence and correſpondence betuixt the kingdomes, breiding a good conſideration betuixt the king and his people, ſupplieing our Armies in England and Ireland.

2. YOW ſhall delyver a letter to the Speaker of both houſes.

3. YOW ſhall returne to the Cōmitties of both kingdomes (whoſe paines & endevours we thankfullie acknowledge) the Propoſitions of Peace with our ſenſe thervpon, and ſuch things as we conceive fitt to be added, wch yow ſall debate and endevoir to procure to be condeſcended on, and theſe to be inſert either in the bodie of the propoſitions or in the Preamble & concluſion as after mutuall debate yow ſhall think moſt convenient.

4. IF the Houſes of Parlia^t ſhall make any alterations of their owne, yow may condeſcend to ſuch as ſhall be circumſtantiall and verball, or not prejudiciall to the cōmon interest of the cauſe according to the grounds exprest in the Covenant, or the particular of this kingdome But if they be eſsentiall or prejudiciall to the Cauſe or this Nation, yow ſhall after brotherlie debate, either refuſe them, or take time to advertiſe the Eſtates of Parliament or Cōmitties therof and get their directions theranent

5. IF after conſideration of the amendements on both ſides, the Propoſitions be agreed vpon, then yow may concurre in the Cōmittie of both kingdomes to ſend them from both to his Matie in ſuch a way as thervpon the place be mutuall conſent ſhall be thought moſt convenient.

6. IF the kings Matie ſhall agree vnto theſe Propoſitions as they ſhall be ſo preſented or make only verball or circumſtantiall differences in his Anſwers, and which ar no wayes prejudiciall to the cauſe or the intereſt of ather kingdomes, yow may concurre in the Cōmittie of both kingdomes to conclude vpon theſe termes.

7. IF his Matie refuſe them and propone other grounds eſſentiallie different, or directlie contrarie thervnto, yow must advertiſe the Eſtates of parliament, or the Cōmitties and reſave their directions theranent, going on in the mean tyme in the ſetling of the Propoſitions wheranent the differences is not eſſentiall.

8. IF the Kings Matie preſse a Treaty vpon theſe demands, yow ar to reſolve and doe for our part as the Cōmittie of the tuo Houſes of the Parliament of England ſhall doe for theirs, and as by mutuall conſent of both ſhall be thought moſt convenient, and with all advertiſe the Cōmitties of the Eſtates, that they may reſolve anent any thing wch may be further neceſsarie thervnto.

9. YOW ſhall condeſcend that our brethren of England, fill vp the blankes that concernes themſelves, and yow ſhall fill vp the blankes that concernes this kingdome according to the reſolution taken heir.

10. YOW ſhall yeild to the reſolution of the Parlia^t anent the Quære or ſixt qualification of the 14th Propoſition anent their owne Noblemen and others for voting both kingdomes Traytors, provided they be not pardoned or admitted to any publict place or imployment in the Estate, nor have acceſse to his Maties perſon according to the 5th qualification without the advyſe and conſent of both kingdomes whom they have declared traytors.

11. THAT all ſuch perſons of either Nation as have bene incendiaries, betuixt the King and either of his kingdomes, or have bene cheife Authors of the warre and hinderers of the peace may be brought to the tryall and Justice of the Parliament of ather of the kingdomes or betuixt the tuo kingdomes reſpective And not to be capable of pardon nor be in any place of State or Court without the conſent of the parliaments of both kingdomes or their Cōmitties

12 CONCERNING the 17. article yow ſhall debate the number of the whole Cōmittie To be betuix and and the leaſt number of the delegats to be

13. YOW ſhall mak a Quære, if the reſtitution of the Prince Elector ſhould be extended to Prince Rupert and Prince Maurice and take a joynt reſolution with them theranent.

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14. IF the Parliament of England ſhall be verie ſparing of their Anſwers to the Quæres as the 21. and 23 propoſitiō yow ſhall teſtifie our thoughts ꝑanent, and advertiſe the Committees of Estates befor ye and they differ.

15. IF ye ſhall come to the propoſition of diſbanding the Armies yow ſhall acquent the Cōmittie and the Lord Generall therw^t That yow may reſave their directions anent the tyme, maner and conditions therof. Yow ſhall doe the like incaſe of any ceſsation of Armes be preſsed, and inclyned vnto, befor ye proceid therin.

16. YOW ſhall make a Propoſition, for restoring of theſe who hes bene putt out of their places, penſions or other benefites for adherence to this cauſe.

17. YOW ſhall conceive ſome claus in this Treaty as it was in the Large Treaty To include Ireland vnder the name of England in all the Articles obligatorie of them to ws.

18. YOW ſhall be verie carefull in this interim of debating the Propoſitions with the King, to endeavour the ſetling wth the kingdome of England either all or the principall points of the remainder of the laſt treaty, and eſpeciallie the number and qualitie of theſe of o^r Nation to be keept about the King and Prince.

19. IF ther fall out any diviſion in England, (wch God forbid) yow ſhall doe your vtmost endeavoir to prevent and remove them, & if that be impoſſible yow ſhall countenance the beſt affected, that ar firmeſt to the Covenant, Treaty, Joynt Declaration and cōmon intereſt of both kingdomes.

20. IF the Parliament of England earneſtly deſire the marching of our Armie now about Yorke, farder South, you ſhall ſhew our remitting the conſideration therof to the Cōmittie with the Armie, and the Lord Generall to whom we recomend to doe therin, and in any other thing which on the place pro re nata they ſhall find to be moſt neceſſarie & expedient for the furtheranee of the ſervice and ſaftie of the kingdomes.

21. YOW ſhall endevoir the continuing and renewing the power and Cōmiſsion granted to the Cōmitties of both kingdomes & ſhew both our acknowledgment of the vſefullnes of that Conjunction of Councells Armes & forces, and our reſentment of the brotherlie kyndnes & reſpect of the parlia^t of England ꝑin vnto this kingdome.

22. YOW ſhall procure ther approbation of our ſending the Erle of Callendar with his forces in towards Newcastle, and move them to reſolve on the ſolide wayes for entertaining theſe forces.

23. IN all theſe imployments as yow ſhall be carefull to omitt nothing that vpon the place yow find eſsentiall & neceſsarie for the proſecution of the Covenant, Treaty & cōmon intereſt of both kingdomes, whither in the managing of the warre, performing of yor Instructions & ſetling of the peace. So on the other part yow ſhall be carefull to omitt no occaſion of furthering the Cauſe & ſetling of thir kingdomes in peace for any circumſtantiall & verball differences either betuixt the Kings Matie and both or either of the kingdomes, or betuixt the kingdomes themſelves. And that as at all times, yow ſhall give frequent advertiſement of yor proceedings to the Cōmitties ſo eſpeciallie when any difficultie occurres, as you find neceſsarie & to require their adviſe you may ſend one of yor number or any other downe to them for their perfite information, or defire any of the Cōmitties to ſend any of their number with their adviſe, and for ther aſsistance according as the exigencie of buſsines occaſionallie ſhall require.

24. YOW ſhall goe on punctuallie about ſuch things as ar cōmitted to yow particularlie be yor Inſtructions, And if any thing ſhall occurre or be proponed contrarie or not agreeing with yor Instructions: yow ſhall acquaint the parlia^t or their Cōmitties therwith and reſsave their directions therin befor ye conclude the ſamen

TO make a propoſition whither it be expedient as the condition of effairs ſtands, To invite his Matie to returne to his Parliament

28 Junij 1644

THIS is the juſt double and extract of the inſtructions abovementionat, wherof the principall was this day read & approvin in Parlia^t be the Eſtates therof and remaines in records of Parlia^t Extracted and collationed be me Sr Alex^r Gibſone of Durie knight Clerk of his Maties Register and Rolles witneſsing herevnto my ſigne & Subſcription manuall is ſubjoyned.

Sic Sub^r Alex^r Gibſone Cls Reḡi

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RESULTS of the Cōmittie appointed be the Parlia^t for reviſing & conſidering the Propoſitions of Peace, reported & approvin be the Estates of Parliament

Through the whole Propoſitions wher it is ſaid Convention of Estates (Parliament) muſt be prefixed

1. That thir words following be added to the first propoſition vīz. And that this be publicklie intimat in all paroch kirks w^in his Maties dominions and all other places neidfull. And where it ſayes, Estates of Scotland, there muſt be added (or Cōmitties flowing from Parlia^t or conventions.

2. To the ſecond Article thir words following to be prefixed (That his Matie according to the Laudable example of his royall father of happie memorie, may be pleaſed to ſueir and ſigne the late ſolemne League and Covenant And that &c: And where the Covenant is repeated in this Article To mak it ſay (therof)

3. In the third Article after the words (Prelats) to adde theſe words (as doeth agree with the Articles of the Late Treaty of the date at Edinb^r 29 No^r 1643 and Joynt declaration of both Kingdomes) in place of the other words ·

4. Agrees

5. Agrees

6. To adde in this article after images (and all other popiſh ſuperſtitions and errors)

7. 8. 9. & 10. Agreed to

11. The word (nixt) would be delet in this Article, And for (alterations) to ſay (other Acts) and after (conſervators of the peace) to adde (Cõmiſſionars for the Cõmon burdings) And where it ſayes conveined in Parlia^t, to ſay conveined in this preſent parliament

12. Agreed to

13. Agreed to, getting the ordinance of parlia^t of England of the date the 11th day of April. vnder the Clerks hands.

14. To inſert the date of the declaration in this article vi3 30 Januar 1644 · Stilo Scotico

Qualifications 1. To adviſe anent the blank of this qualification & filling vp therof.

2. The word (Parliament) muſt be (Parliaments) and to adde thir words (or Estates of either kingdomes.)

3. Agreed to.

4. To make (Parliament) (Parliaments) or (eſtates of either kingdomes) and to begin the qualification this way, All Rebells in Ireland aſwell Britiſh as Natives whither Papists.

5. To adviſe anent the filling vp of the blank

6. Quære for Anſwer to the Quære of the 6. qualification, They deserved to be eſteemed and declared Traytors againſt king and both kingdomes

7. Agreed to, and where it ſayes to be free, to ſay of all personall Cenſures

8. In this qualification, To adde after the word excepted in the first from preceiding qualifications

9. & 10. Agreed to

11. To adde to this qualification, the whole Estates of the Rebells in Ireland to be imployed for the payment of the publict debts

12. Agreed to, and where it ſayes 200 li^b, to adde (Sterling in England) and an 100 li^b ſterling in Scotland

13. Agreed to

14. 15. & 16. Agreed to

17. Agreed to, and whole branches therof, & to fill vp the blankes

18. Agreed to

19. Agreed to

20. Agreed to, and the like to be in the kingdome of Scotland, adding the Justice Generall, and the Estates to conſidder of the manner therof

21. Anent the propoſition for the education & mariage of the kings children, Their education wold be in the true protestant religion, and their Tutors and Governors to be of knowne integritie, and to be choſen be the parlia^t of both kingdoms or their Coñ^ie in the intervall betuixt parlia^ts. And as to their mariage, if they be male, that they onlie marie with theſe of the true protestant religion, and the daughters not to be maryed but with adviſe and conſent of both parliaments or their Coñ^ie in the intervall betuixt Parliaments

22. Agreed to

23. As to the 23 · the word (Negotiation) to be left out, and the concluding of peace & warre with foraine Princes & States to be w^t adviſe and conſent of both Parliaments or their Coñ^ie in the intervall betuixt Parliaments

24. Agreed to

25. Agreed to with exception of Theeves Sorners &c. and others cõtained in þe forñ act of oblivio

26. Agreed to, the time, manner & conditions being resolved on be the parliaments of both kingdomes, or ſuch as ſhall be authorized be them for that effect

AS concerning the preamble and concluſion and what ſhall be promiſsorie in them to the King from both kingdomes in what may concerne his Just authoritie, hono^{r} and beneffte, Is remitted to the Cõmittie of both kingdomes at London being agreeable to the propositions of both kingdomes expreſt in the Covenant, and their former Declarations.

28 Junij 1644

THIS is the Just double and extract of the reſults abovementioned wherof the principall was this day red and approvin in parlia^{t} be the Estates therof and remaines in records of Parlia^{t} Extracted and collationed be me Sr Alex^{r} Gibsone of Durie knight Clerk of his Maties Register & rolls, witneſsing heirvnto my Signe and ſubſcription mannuall is ſubjoyned

Sic ſub^{r}. Alex : Gibsone Cls Reg̃ri

. . . . . .

THE Cõmittie appointed for filling vp the blanks in the Articles & Propositions of Peace

THE Cõmittie foirs^{d} finds, that the perſons following ſhould be filled vp in the blank of the first qualification of the 14th Article, vi^{z}

Marqueis of Huntlie
Erle of Crafurde
E · of Montroſe
E · of Nithſdaill
E · of Traquair
E · of Carnwarth
E · of Forth
Lord Aboyne
Lo : Ogilvie
Lo : Rae
Lo : Herries
Lo : Ytham
[Irving] yonger of Drum
[Gordon] yor of Geight
Leſlie of Auchintoul
Sr Ro^{t} Spotiſwood
Mr Jo^{n} Cochran Col :
Mr Walter balcanquell
M^{r} Jo^{n} maxuell fũtym pretendit biſhop of Roſs

THE Cõmittie foirs^{d} thinks it fitting, that the blank of the 5th. qualification of the 14th. Article be filled vp with the names of the persons inrolled in the firſt qualification as ſaid is, And with this clauſe (and all ſuch as hes concurred in the votes at Oxfoord againſt the kingdome of Scotland and their procedo^{rs} or hes ſubſcryved the declaration againſt the Convention & Covenant) And theſe who aſſisted the invaſion in the South or rebellion in the north, Or theſe againſt whom proces ar depending, and whoſe names ar given to the Parlia^{t} vpon the day of

THE Cõmittie foirs^{d} thinks it fitting that the 19. Article be filled vp as followes vi^{z} (So for the kingdome of Scotland, Theſe peers therof whoſe Patent is not past the Seallis befor the 4 · of Junij 1644

28 Junij 1644

THIS is the Just double & extract of the report of the foirs^{d} Cõmittie which was this day red & approvin in Parliament be the Estates therof Extracted & collationed be me Sr Alex^{r} gibsone of Durie kny^{t} clerk of his hienes Reg̃re witneſsing heirvnto my Signe and Subſcription manuall is ſubjoyned

Sic ſub^{r} Alex^{r} : Gibsone Cls Reg̃ri

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XXIX JUNII.

ACT againſt theſe who takes up Armes, and holds houſes againſt the Kingdome and Eſtates of the Countrey.

FORSAMEIKLE as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in Anno 1641. Taking to their conſideration the Quere under-written, motioned, and proponed in Parliament, viz. Whether a dittay founded upon the crimes of taking up Armes againſt the Kingdome and Eſtates of the Countrey, holding of Houſes againſt the ſame, taking and impriſoning the Kings free Lieges, aſſiſting or taking Armes with theſe who has invaded the Countrey, ſhall be relivant to inferre puniſhment or not, and what the puniſhment ſhall be? The ſaids Eſtates of Parliament findes a dittay founded upon the crime of taking up Armes againſt the Kingdome, and Eſtates of the Countrey, relivant to inferre the puniſhment and paines of Treaſon, and that the perſons guilty thereof are puniſhable, by forfeiture of life, lands, and goods, or any other cenſure the Parliament ſhall pleaſe to inflict. And alſo the ſaids Eſtates findes a dittay founded upon the crime of holding of Houſes againſt the Kingdome and eſtates of the Countrey, the holders being required by warrant of the Parliament, Convention of Eſtates, or any of their Committees reſpective, or Secret Councell, having warrant from the Parliament or Convention of Eſtates for that effect, to render the ſame relivant to inferre the puniſhment and pains of Treaſon, and that the parties guilty thereof are puniſhable by forfeiture of life, lands, and goods, or any other cenſure the Parliament ſhall pleaſe to inflict.

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X JULII.

21 ACT anent the putting of ane Garifon in the caſtle of Stirling.

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22 ACT in favours of Tho. Cunninghame, anent the place of Conſervatorie.

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23 ACT againſt theſe that took the Magiſtrates of Aberdene.

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XII JULII.

[LETTER from the Committee with the Army]

FOR the right honoⁿ The Committee of Eſtats of Scotland at Edr

Right honorable

SINCE our last to your Loᵖˢ the Condition of our affaires heer ar not a litle changed for on monday last vpon notice of P. Ruperts march from knarſburgh towards ws wee reſolved and accordingly drew out the Armyes to have met him / And for that end did march the ſame night to longmarstoun moore about four myles on the weſt ſide of york / Bot he haveing notice thereof did paſe with his army at Borrowbridge / and ſo put the river of Ouſe betwixt him and ws / whereby wee were diſabled to oppoſe his paſsage into york the bridge wee built on the weſt ſide of the toun being ſo weak that wee durſt not adventure to tranſport our armyes vpon it. This made ws reſolve the nixt morneing to marche vnto Todcaster for the stopping of his paſsage southward / And the Armyes being ſo far on their way as the vann wes within a myle of it / Notice wes ſent ws by our horſmen who were vpon our reare that the Prince his Army horſe & foot were advanced the length of Longmarstoun moore / & wes ready to fall vpon them, whervpon wee recalled the whole armyes & drew them vp on a corne hill vpon the south west ſide of the moore in the beſt wayes we could ſo far as the straitnes of that feild and other diſadvantages of the place could permit. Before both Armyes were in readines It wes neer ſeven a clock at night / about wᶜʰ tyme both armyes advanced each toward other / whervpon followed a very hote encounter for the ſpace of two houres, wherof by the great bleſsing and good providence of God the iſsue wes the totall routing of the enemyes Army / and their loſse of all their ordinance to the number of 20 / amunition / baggage / and 100 colours and ten thouſand armes. There were killed vpon the place about thrie thouſand of them and above 1500 priſoners wherof many cheeff officers among whom there are above one hundreth officers, in wᶜʰ number is Sir Charles Lucas Lieutenent Generall to the Marquiſe of Newcaſtles horſe / Porter Generall Major / and Generall Major Tillier with diverſe other Colonells Lieut: Colonells & Majors. The Prince in great diſtraction with a few horſe & almost no foot marched the nixt morneing from York northward. Our loſse God be praiſed is not very great being only of one lieutenent Colonell, ſome few Captanes and about two or three hundreth cōmon ſojors / We have now lyne doun againe in our old leaguer before york, wᶜʰ wee are confident within a few dayes by gods help to gaine and have ſent a great part of our Cavalry after P. Rupert. The glory of all this belongs vnto God alone / and the benefite therof wee hope shall redound to both kingdomes / for which cauſe wee have appointed this nixt Sabbath for a day of ſolemne thankſgiveing throughout thir Armyes / And we hope your loᵖˢ will appoint a day for the ſame to be kept throughout the Kingdome / and notice ſent to ws thereof / that wee altogether may Joyne in it. Wee are informed that the Generall of Artilleries traine in Ireland hes reſsaved no part of that money ſent thither, wherof wee mervaill / And theirfore wee deſire they may have proportionall pay ſince they have done ſervice as the reſt. Wee hear lykwyſe that ſome of that victuall wᶜʰ wes ordained to be ſent hither for our Army is diſpoſed vpon for the vſe of the E. of Calanders Army / And theirfore wee deſire that als much may be ſent hither in place þof / and tymeous proviſion made of als much more as poſſiblie can be had / ſieing wee have reſſaved none from thence ſince our outcomeing more then wes provided befor. Wee reſt

Yoʳ Loᵖˢ aſsured
friends & ſervants
Lindeſay I P D

From the leaguer before York
6th Julij 1644

WEE hope your Loᵖˢ will not forget the great paines and travell of this beerar ſo oft runing vp & doun in the publict affaires.

12 Julij 1644.

Produced be the Lo / Chanr and red in audience of the haill pliat

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XIII JULII.

24 ACT of approbation and exoneration to the Earle of Calender, Lord Lieutenant General, and to the Committee that went with him.

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XV JULII.

ACT anent the Ratification of the calling of the Convention, Ratification of the League and Covenant, Articles of Treatie betwixt the Kingdomes of Scotland and England, and remanent Acts of the Convention of Eſtates, and Committee thereof.

25 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in Anno 1641. Conſidering that the Lords of his Majeſties Privie Councel, and Commiſſioners for conſerving the Articles of the Treatie, having, according to their intereſts and truſt committed to them by his Majeſtie and Eſtates of Parliament, uſed all meanes, by Supplications, Remonſtrances, and ſending of Commiſſioners, for ſecuring the peace of this Kingdome, and removing the unhappy diſtractions betwixt his Majeſtie and his ſubjects in England, in ſuch a way as might ſerve moſt for his Majeſties honour, and good of both Kingdomes, and their humble and dutifull endeavours for ſo good ends having proven uneffectuall, and their offer of mediation and interceſſion being refuſed by his Majeſtie, and thereby finding the weight and difficultie of affaires, and the charge lying on them to be greater then they could beare, Did therefore in the moneth of May 1643. meet together with the Commiſſioners for the Common Burdens, that by joynt advice ſome reſolution might be tane therein, and in reſpect of the danger imminent to the true Proteſtant Religion, his Majeſties honour, and peace of thir Kingdomes, by the multitude of Papiſts and their Adherents, in Armes in England and Ireland, and of many other publick and important affaires, which could not admit delay, and did require the advice of the repreſentative body of the Kingdome, Appointed and cauſed indict a meeting of the Convention of Eſtates (his Majeſtie having formerly refuſed their humble deſires for a Parliament) to be upon the 22. of June following: Which Diet being frequently kept by the Noblemen, Commiſſioners of Shires and Burrowes, and they finding theſe dangers againſt this Kirk and State ſtill increaſing, Reſolved, after ſerious deliberation, and adviee of the Generall Aſſembly, and joynt concurrence of the Commiſsioners authorized by the Parliament of England, That one of the chiefeſt remedies for preventing of theſe and the like dangers, for preſervation of Religion and both Kingdomes from ruine and deſtruction, and for procuring of peace, that both Kingdomes ſhould for thoſe ends enter into Covenant; which was accordingly drawne up, and chearfully embraced and allowed: Whereat the oppoſite and malignant party more enraging then before, did gather their ſtrength and power againſt the ſame, ſo as the Eſtates were neceſsitate to put this Kingdome into a poſture of defence, and for this purpoſe appointed Colonels and Committees of Warre in the ſeverall Shires for exerciſing the forces therein, and putting them in readineſſe for mutuall defence, in this cauſe of Religion, His Majeſties Honour, and Peace of his Kingdomes, as they ſhould be required by the Eſtates, or their Committee, who were entruſted with the charge of the publicke affaires of the Kingdome during the not ſitting of the Eſtates. And at laſt a treatie was agreed unto by both Kingdomes concerning the ſaid Covenant, and aſsiſtance craved from this Kingdome by the Kingdome of England in purſuance of the ends expreſt therein; and another Treatie for ſettling a Garriſon in, and ſecuring of the Town of Berwick, as the ſame more fully proports, conforme whereunto orders were iſſued forth, and an Armie raiſed out of the Shires and Burrowes of this Kingdome, and ſent into England. And the Eſtates finding themſelves bound in dutie and conſcience to provide all means for ſupply of that Army, and relieving the Scots Army in Ireland, Did reſolve that the ſame ſhould be by way of Exciſe, as the moſt conſtant, juſt, and equall way, leaſt prejudiciall to the Kingdome, and moſt beneficiall to the cauſe in hand, and ordained certaine rates and ſummes to be raiſed off the Commodities contained in the Act made thereanent, and Schedule thereunto annexed: And in reſpect of the neceſſitie of preſent money, and that the Exciſe could not be gotten timouſly in for ſupply of the Army, Did appoint that all perſons within this Kingdome who had moneys, or by their credit could raiſe and advance the ſame, ſhould lend ſuch ſummes to the Eſtates, or their Committee, as they ſhould be required, upon aſſurance of repayment from the publick, in manner contained in the Acts made thereanent, and gave order to their Committee to ſee them put in execution, who have accordingly beene carefull in diſcharge of that truſt committed to them. And the Eſtates being ſtill deſirous to uſe all good meanes, that without the effuſion of more bloud there may be ſuch a bleſſed Pacification betwixt his Majeſtie and his Subjects, as might tend to the good of Religion, his Majeſties true honour and ſafety, and happineſſe of his People, Did therefore give Commiſsion to John Earle of Lowdoun Lord Chancellour, Lord Maitland, Lord Wariſtoun, and Maſter Robert Barclay, to repaire to England, and

endeavour the effectuating of theſe ends contained in the Covenant and Treaties conforme to their inſtructions: And in this interim, the Eſtates being informed of the traiterous attempts of ſome unnaturall Countreymen, who in an hoſtile manner invaded this Kingdome toward the South, and had their Complices in armes in the North, all for one deſigne, of ſubverting the Religion, Lawes and Liberties of the Kingdome, were neceſsitate, for ſuppreſsing thereof, to direct an Army to the South under the command of the Earle of Calender, and a Committee of the Eſtates to be aſsiſting to them; another Armie to the North under the command of the Marqueſſe of Argyle, and a Committee to goe along with him.

AND the ſaids Eſtates, Having taken the proceedings above-written to their conſideration, do finde and declare, That the Lords of Councell, and Conſervers of peace, did behave themſelves as faithfull Councellours, loyall Subjects, and good Patriots, in tendring their humble endeavours for removing the diſtractions betwixt his Majeſtie and his Subjects, and in calling the Commiſſioners for the Common Burdens, and by joynt advice appointing the late meeting of Convention, wherein they have approven themſelves anſwerable to the dutie of their places, and that truſt committed to them, and therefore ratifies and approves their whole proceedings therein, and declares, the ſaid Convention was lawfully called, and als full and free in it ſelfe, conſiſting of all the members thereof, as any Convention hath been at any time by-gone; And ratifies and approves the ſeverall Acts made by them, or their Committee, for enjoyning the Covenant, appointing of Committees, putting the Kingdome in a Poſture of defence, allowing the Treaties, raiſing of Armies, and ſending them into England, eſtabliſhing the Exciſe, and borrowing of Money, and all other Acts, Decreets, Sentences, Precepts, Warrants, Commiſſions, Inſtructions, Declarations, and other Deeds done by them.

AND alſo, The ſaids Eſtates of Parliament (but prejudice of the premiſſes, and of the generall ratification above-mentioned) ratifies, approves, and confirms the foreſaid mutuall League and Covenant, concerning the Reformation and Defence of Religion, the Honour and happineſſe of the King, and the Peace and ſafety of the three Kingdomes of Scotland, England, and Ireland; Together with the Acts of the Kirk and Eſtate authorizing the ſame League and Covenant; Together alſo with the foreſaids Articles of Treatie agreed upon betwixt the ſaids Commiſſioners of the Convention of Eſtates of Scotland, and the Commiſſioners of both Houſes of the Parliament of England, concerning the ſaid ſolemne League and Covenant, and the ſettling of the Towne and Garriſon of Berwick; With the foreſaids Acts eſtabliſhing the Exciſe, and borrowing of Monеyes reſpectivè above-mentioned. And the ſaids Eſtates ordaines the ſame Acts, with the League and Covenant above-ſpecified, Acts authorizing the ſame, and the Articles of Treatie foreſaid, to have the full force and ſtrength of perfect Lawes and Acts of Parliament, and to be obſerved by all his Majeſties Lieges, conforme to the tenors thereof reſpective. Of the which League and Covenant, Acts authorizing the ſame, Treaties above-written, and Acts for eſtabliſhing the Exciſe, and for borrowing of money, the tenors follow.

A SOLEMNE LEAGUE and COVENANT, For Reformation, and Defence of Religion, The Honor and Happineſſe of the King, and the Peace and Safety of the three Kingdomes of Scotland, England, and Ireland.

WEE Noblemen, Barons, Knights, Gentlemen, Citizens, Burgeſſes, Miniſters of the Goſpel, and Commons of all ſorts in the Kingdomes of Scotland, England, and Ireland, by the providence of GOD living under one King, and being of one Reformed Religion, Having before our eyes the Glory of GOD, and the advancement of the Kingdome of our Lord and Saviour Jeſus Chriſt, the Honour and Happineſſe of the Kings Majeſtie and his Poſterity, and the true publick Liberty, Safety, and Peace of the Kingdomes, wherein every ones private condition is included; And calling to minde the treacherous and bloudy plots, conſpiracies, attempts, and practices of the enemies of GOD, againſt the true Religion, and Profeſſours thereof in all places, eſpecially in theſe three Kingdomes, ever ſince the Reformation of Religion, and how much their rage, power, and preſumption are of late, and at this time increaſed and exerciſed; whereof the deplorable ſtate of the Church and Kingdome of Ireland, the diſtreſſed eſtate of the Church and Kingdome of England, and the dangerous eſtate of the Church and Kingdome of Scotland, are preſent and publick teſtimonies; We have now at laſt (after other means of Supplication, Remonſtrance, Proteſtations and Sufferings) for the preſervation of our ſelves and our Religion from utter ruine and deſtruction, according to the commendable practice of theſe Kingdomes in former times, and the example of GODS People in other Nations, after mature deliberation, reſolved and determined to enter into a mutuall and ſolemne League and Covenant: Wherein we all ſubſcribe, and each one of us for himſelf, with our hands lifted up to the moſt high God, doe Swear:

1. THAT we ſhall ſincerely, really, and conſtantly, through the grace of GOD, endeavour in our ſeverall places and callings, the preſervation of the Reformed Religion in the Church of Scotland, in

Doctrine, Worſhip, Diſcipline, and Government, againſt our common Enemies; The Reformation of Religion in the Kingdomes of England and Ireland, in Doctrine, Worſhip, Diſcipline, and Government, according to the Word of GOD, and the example of the beſt Reformed Churches; And ſhall endeavour to bring the Churches of GOD in the three Kingdomes to the neareſt conjunction and Uniformity in Religion, Confeſſion of Faith, Forme of Church-government, Directory for Worſhip, and Catechizing; That we and our Poſterity after us, may, as Brethren, live in Faith and Love, and the Lord may delight to dwell in the midſt of us.

2. THAT we ſhall in like manner, without reſpect of perſons, endeavour the Extirpation of Popery, Prelacie, (that is, Church-government by Archbiſhops, Biſhops, their Chancellours and Commiſſaries, Deans, Deans and Chapters, Arch-deacons, and all other Eccleſiaſticall Officers depending on that Hierarchy) Superſtition, Hereſie, Schiſme, Prophaneneſſe, and whatſoever ſhall be found to be contrary to ſound Doctrine, and the power of Godlineſſe; left we partake in other mens ſins, and thereby be in danger to receive of their plagues; And that the Lord may bee one, and his Name one in the three Kingdomes.

3. WE ſhall with the ſame ſincerity, reality and conſtancie, in our ſeverall vocations, endeavour with our eſtates and lives mutually to preſerve the Rights and Priviledges of the Parliaments, and the Liberties of the Kingdomes; And to preſerve and defend the Kings Majeſties Perſon and Authority, in the preſervation and defence of the true Religion, and Liberties of the Kingdomes; That the world may bear witneſſe with our conſciences of our Loyaltie, and that wee have no thoughts or intentions to diminiſh his Majeſties juſt power and greatneſſe.

4. WE ſhall alſo with all faithfulneſſe endeavour the diſcovery of all ſuch as have been, or ſhall be Incendiaries, Malignants, or evil inſtruments, by hindering the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any faction, or parties amongſt the people, contrary to this League and Covenant, That they may be brought to publick triall, and receive condigne puniſhment, as the degree of their offences ſhall require or deſerve, or the ſupreame Judicatories of both Kingdomes reſpectively, or others having power from them for that effect, ſhall judge convenient.

5. AND whereas the happineſſe of a bleſſed Peace between theſe Kingdomes, denyed in former times to our Progenitors, is by the good Providence of God granted unto us, and hath been lately concluded, and ſetled by both Parliaments, We ſhall each one of us, according to our place and Intereſt, endeavour that they may remaine conjoyned in a firme Peace and Union to all Poſterity, And that Juſtice may be done upon the wilfull Oppoſers thereof, in manner expreſſed in the precedent Article.

6. WEE ſhall alſo according to our places and callings in this common cauſe of Religion, Liberty and Peace of the Kingdomes, aſſiſt and defend all thoſe that enter into this League and Covenant, in the maintaining and purſuing thereof; And ſhall not ſuffer our ſelves directly or indirectly, by whatſoever combination, perſwaſion or terrour, to be divided and withdrawen from this bleſſed Union and conjunction, whether to make defection to the contrary part, or to give ourſelves to a deteſtable indifferency, or neutrality in this cauſe, which ſo much concerneth the glory of GOD, the good of the Kingdoms, and honour of the King: But ſhall all the dayes of our lives, zealouſly and conſtantly continue therein, againſt all oppoſition, and promote the ſame according to our power, againſt all lets and impediments whatſoever: And what wee are not able our ſelves to ſuppreſſe or overcome, we ſhal reveal and make known, that it may be timely prevented or removed: All which we ſhal do as in the ſight of GOD.

AND, becauſe theſe Kingdomes are guilty of many ſins and provocations againſt GOD, and his Son JESUS CHRIST, as is too manifeſt by our preſent diſtreſſes and dangers, the fruits thereof, wee profeſſe and declare before GOD and the World, our unfained deſire to be humbled for our own ſins, & for the ſins of theſe Kingdoms; eſpecially, that we have not, as we ought, valued the ineſtimable benefit of the Goſpel, that wee have not laboured for the purity and power thereof, and that we have not endeavoured to receive CHRIST in our hearts, nor to walk worthy of him in our lives, which are the cauſes of other ſins and tranſgreſſions ſo much abounding amongſt us: And our true and unfained purpoſe, deſire, and endeavour for our ſelves, and all others under our power and charge, both in publick and in private, in all duties wee owe to GOD and Man, to amend our lives, and each one to go before another in the example of a reall Reformation; That the Lord may turn away his wrath, and heavy indignation, and eſtabliſh theſe Churches and Kingdomes in Truth and Peace. And this Covenant wee make in the preſence of Almighty GOD, the Searcher of all hearts, with a true intention to performe the ſame, As we ſhall anſwer at that great Day, when the ſecrets of all hearts ſhall bee diſcloſed: Moſt humbly beſeeching the Lord, to ſtrenthen us by his Holy Spirit for this end, and to bleſſe our deſires and proceedings with ſuch ſucceſſe, as may be deliverance and ſafety to his People, and encouragement to other Chriſtian Churches groaning under, or in danger of the yoke of Anti-

chriſtian Tyrannie, to joyn in the ſame, or like Aſſociation and Covenant, To the glory of GOD, the enlargement of the Kingdome of JESUS CHRIST, and the peace & tranquillity of Chriſtian Kingdoms, & commonwealths.

Seſſ. XIV. Auguſt 17. 1643.

THE Generall Aſſemblies Approbation of the draught of the League and Covenant preſented to them.

THE Aſſembly having recommended unto a Committee, appointed by them to joyn with the Committee of the Honourable Convention of Eſtates, and the Commiſſioners of the Honourable Houſes of the Parliament of England, for bringing the Kingdomes to a more near conjunction and Union, received from the aforeſaid Committees, the Covenant above-mentioned, as the reſult of their conſultations: And having taken the ſame, as a matter of ſo publick concernment and of ſo deep importance doth require, unto their graveſt conſideration, Did with all their hearts, and with the beginnings of the feelings of that joy which they did finde in ſo great meaſure upon the renovation of the Nationall Covenant of this Kirk and Kingdom, All with one voice approve and embrace the ſame, as the moſt powerfull mean, by the bleſſing of God, for ſetling and preſerving the true Proteſtant Religion, with perfect Peace in his Majeſties Dominions, and propagating the ſame to other Nations, and for eſtabliſhing his Majeſties Throne to all ages and generations. And therefore with their beſt affections recomend the ſame to the Honourable Convention of Eſtates, that being examined and approved by them, it may be ſent with all diligence to the Kingdome of England, That being received and approven there, the ſame may bee with publick humiliation, and all Religious and anſwerable ſolemnity, ſworn and ſubſcribed by all true Profeſſors of the Reformed Religion, and all his Majeſties good Subjects in both Kingdomes.

THE Convention of Eſtates their Approbation of the draught of the League and Covenant aforeſaid, 17. Auguſt 1643.

THE Noblemen, Commiſſioners of Shires and Burrows now conveened, having received the Covenant above-mentioned from their Committee, as the reſult of their conſultations with a Committee of the Generall Aſſembly, and the Commiſſioners from both Houſes of the Parliament of England; And having taken that Covenant unto their graveſt conſideration, Did with all their hearts and great expreſſions of joy and unanimitie approve and embrace the ſame, as the moſt powerfull meane, by the bleſſing of God, for ſetling and preſerving the true Proteſtant Religion, with a perfect Peace in all his Majeſties Dominions, and propagating the ſame to other Nations, and for eſtabliſhing his Majeſties Throne to all ages. And being very confident that their Brethren in the Kingdom of England will heartily receive and approve the ſamine; Therefore according to the earneſt recommendation of that venerable Aſſembly of this Kirk now met, thinks it moſt neceſſary for the good ends aforeſaid, that it be ſent into that Kingdome with all diligence, That being received and approved by their Brethren there, the ſame may be with all Religious ſolemnities ſworn, and ſubſcribed by all true Profeſſors of the Reformed Religion, and all his Majeſties good Subjects in both Kingdomes.

EDINBURGH 11. Octob. 1643.

ORDINANCE for the ſolemne receiving, ſwearing, and ſubſcribing of the League and Covenant.

THE Commiſſioners of the Generall Aſſembly, having received from their Brethren ſent unto the Kingdome of England, the ſolemne League and Covenant above-written, as it was apprven by the Honourable Houſes of the Parliament of England, and the Aſſembly of Divines in that Kingdome, and ſolemnly ſworn and ſubſcribed there. After due examination thereof, did all in one voice moſt heartily receive and embrace the ſame, as agreeing with the draught, unanimouſly and chearfully approven and embraced by the late Generall Aſſembly, and Convention of Eſtates, As the moſt powerfull meane, by the bleſſing of God, for ſetling and preſerving the true Proteſtant Religion with perfect peace in his Majeſties Dominions, and propagating the ſame to other Nations, and for eſtabliſhing his Majeſties throne to all ages and generations: And therefore according to the power given to them by the ſaid Aſſembly, Ordaine this ſolemne League and Covenant to bee with publick Humiliation, and all Religious ſolemnities received, ſworn, and ſubſcribed by all Miniſters and Profeſſours within this Kirk; And, that this may bee univerſally performed, It is alſo ordained that this League and Covenant be forthwith printed, and that the printed Copies, bound with ſome cleane ſheets of Paper be ſent unto the Miniſtery, And that every Miniſter upon the firſt Lords Day, after the ſame ſhall come to his hands, read and explaine it, and by exhortation prepare the People to the ſwearing and ſubſcribing thereof ſolemnly, the Lords Day next immediatly following. And it is further ordained that Presbyteries take account of the performance hereof in their ſeverall bounds, and that they proceed with the Cenſures of the Kirk, againſt all ſuch as ſhall refuſe, or ſhift to ſweare and ſubſcribe this League and Covenant, as enemies to the

preſervation and propagation of Religion, And that they notifie their names, and make particular report of their own diligence hereintill, to this Commiſſion, or their Moderator, or Clerk to be delivered to them. And the Commiſſioners think it very convenient, for good example, and the better encouragement of others, that this Covenant be ſolemnly ſworne, and ſubſcribed by themſelves now preſent, before the Congregation, in the Eaſt Kirk upon Friday next the 13. of this inſtant, after Sermon and exhortation to be made by Maſter Robert Douglas Moderator; And that the Commiſſioners of the Convention of Eſtates now in Town, and the Commiſſioners from the Parliament of England, and the Divines of that Kingdome here preſent, be earneſtly deſired to joyne with them in this ſolemne and Religious Action.

AT EDINBURGH the 12. of October 1643.

THE Commiſſioners of the Convention of Eſtates, having received from the Commiſſioners of the General Aſſembly, the Solemn League & Covenant above-mentioned, approven and ſolemnly ſworn and ſubſcribed in the Kingdom of England, And having taken the ſame to their ſerious conſideration, doe unanimouſly and chearfully receive and embrace it, as agreeing with that draught, approven by the late Convention of Eſtates and Generall Aſſembly. And therefore ordains the ſame to be with all Religious Solemnities, ſworn and ſubſcribed by all his Majeſties Subjects of this Kingdom: And that under the pain to ſuch as ſhall poſtpone or refuſe, to bee eſteemed and puniſhed as enemies to Religion, his Majeſties Honour, and Peace of thir Kingdomes; And to have their Goods and Rents confiſcate for the uſe of the Publick, and that they ſhal not brook nor enjoy any benefit, place, nor office within this Kingdome. And als ordains all Sheriffs, Stuarts, and others his Majeſties Magiſtrates to Burgh and Land, and Committees in the ſeverall Shires, To bee aſsiſting to Miniſters and Presbyteries, in procuring reall obedience hereunto. And that with all diligence they make report to the Committee of Eſtates, of the names of all ſuch perſons as ſhall poſtpone or refuſe, to the effect courſe may be taken with them, as aforeſaid. And that they may be cited to anſwer to the next Parliament, as enemies to Religion, King and Kingdomes, and to receive what further puniſhment his Majeſty and Parliament ſhall inflict upon them. And further ordains thir preſents to be Printed with the former Act of the Eſtates, and publiſhed at the Market Croſſes of the Head Burrowes of this Kingdome; Wherethrough none pretend ignorance of the ſame.

ARTICLES of the Treatie, agreed upon betwixt the Commiſſioners of the Convention of Eſtates of the Kingdome of Scotland, authorized by the Committee of the ſaid Eſtates, and the Commiſſioners of both Houſes of the Parliament of England, having power and commiſsion from the ſaids Honourable Houſes, concerning the Solemne League and Covenant, and the aſsiſtance demanded in the purſuance of the ends expreſt in the ſamine.

WHEREAS the two Houſes of the Parliament of England, out of a juſt and deep ſenſe of the great and imminent danger of the true Proteſtant Religion, in regard of the great Forces of Papiſts, Prelats, Malignants, and their adherents, raiſed & imployed againſt the conſtant Profeſſors thereof in England & Ireland, thought fit to ſend their Commiſſioners into the Kingdome of Scotland, to treat with the Convention of Eſtates, and Generall Aſſembly there, concerning ſuch things as might tend to the preſervation of Religion, and the mutuall good of both Nations: And to that end, to deſire a more neer and ſtrict Union betwixt the Kingdomes, and the aſſiſtance of the Kingdome of Scotland, by a conſiderable Strength, to be raiſed and ſent by them into the Kingdome of England. And whereas upon a conſultation, held betwixt the Committee of the Convention of Eſtates and Generall Aſſembly, and the Commiſſioners of the Parliament of England, no means was thought ſo expedient to accompliſh and ſtrengthen the Union, as for both Nations to enter into a Solemne League and Covenant, and a forme thereof drawn and preſented to the Convention of Eſtates, and Generall Aſſembly of Scotland, and the two Houſes of the Parliament of England, which hath accordingly been done and received their reſpective approbation. And whereas the particulars concerning the aſſiſtance deſired by the two Houſes of the Parliament of England, from their Brethren of Scotland, were delivered in by the Engliſh Commiſſioners Auguſt 19. to the Convention of Eſtates, who did thereupon give power to their Committee, to conſider and debate farther with the Engliſh Commiſſioners of what other Propoſitions might bee added or concluded, whereby the aſſiſtance deſired might be made more effectuall and beneficiall; And in purſuance thereof, theſe Propoſitions following were conſidered of, and debated by the Committee and Commiſsioners aforeſaid, to be certified with all convenient ſpeed, to the Convention of the Eſtates of Scotland, and the two Houſes of the Parliament of England by their reſpective Committees and Commiſſioners, to bee reſpectively taken into their conſideration, and proceeded with, as they ſhould finde cauſe: Which being accordingly done, and theſe enſuing Propoſitions, ap-

proved, agreed, and concluded of, by the Committee of the Eſtates of Scotland, and the Houſes of the Parliament of England reſpectively; and power by them given to their reſpective Committees and Commiſſioners formally, to agree and conclude the ſamine, as may appear by the order of the Committee, bearing date the 17. of November, and by the Votes of both Houſes, dated firſt of November; We the ſaid Committee and Commiſſioners, according to their ſaids Orders and Votes, doe formally conclude and agree upon theſe Articles following, and in confirmation thereof, do mutually ſubſcribe the ſamine.

I. IT is agreed and concluded, that the Covenant repreſented to the Convention of Eſtates and Generall Aſſembly of Scotland, and ſent to both Houſes of the Parliament of England, in the ſamine forme as it is now returned from the two Houſes of the Parliament of England to their brethren of Scotland, and allowed by the Committee of Eſtates and Commiſſioners of the Generall Aſſembly, be ſworne and ſubſcribed by both Kingdomes, as a moſt neere tie and conjunction betwixt them, for their mutuall defence, againſt the Papiſt and Prelaticall Faction and their adherents in both Kingdomes; and for purſuance of the ends expreſt in the ſaid Covenant.

II. THAT an Army to this purpoſe ſhall be levyed forthwith, conſiſting of eighteen thouſand Foot effective, and two thouſand Horſe, and one thouſand Dragooners effective, with a ſuteable traine of Artillerie, to be ready at ſome Generall Rendezvous neer the Borders of England, to march into England for the purpoſes aforeſaid with all convenient ſpeed, the ſaid Foot and Horſe to be well and compleatly armed and provided with Victuals and Pay for fourty dayes: and the ſaid traine of Artillery to be fitted in all points ready to march.

III. THAT the Armie be commanded by a Generall appointed by the Eſtates of Scotland, and ſubject to ſuch Reſolutions and Directions as are and ſhall be agreed and concluded on mutually betweene the two Kingdomes, or by Committees appointed by them in that behalf, for purſuance of the ends above-mentioned.

IV. THAT the charge of levying, arming, and bringing the ſaids Forces together furniſhed; as alſo the fitting of the traine of Artillerie in readineſſe to march, be computed and ſet down according to the ſame Rates, as if the Kingdom of Scotland were to raiſe the ſaid Army for themſelves and their own affairs; all which for the preſent is to be done by the Kingdom of Scotland upon accompt, and the accompt to bee delivered to the Commiſſioners of the Kingdome of England: And when the peace of the two Kingdomes is ſetled, the ſamine to be repayed or ſatisfied to the Kingdome of Scotland.

V. THAT this Armie be likewiſe payed, as if the Kingdom of Scotland were to imploy the ſamine for their own occaſions, and toward the defraying thereof (it not amounting to the full moneths Pay) ſhall be monethly allowed and payed, the ſumme of thirtie thouſand pounds ſterling by the Parliament of England, out of the eſtates and revenues of the Papiſts, Prelates, Malignants, and their adherents, or otherwayes: And incaſe the ſaid thirty thouſand pounds monethly, or any part thereof, be not payed at the time when it ſhall become due and payable, the Kingdom of England ſhall give the publick Faith for paying the remainder unpayed with all poſsible ſpeed, allowing the Rate of eight pound per centum for the time of the forbearance thereof. And incaſe that notwithſtanding the ſaid monethly ſumme of thirty thouſand pounds payed as aforeſaid, the Eſtates of the Kingdome of Scotland, ſhall have juſt cauſe to demand further ſatisfaction of their Brethren of England, when the peace of both Kingdomes is ſetled, for the paines, hazard and charges they have under-gone in the ſame: They ſhall by way of brotherly aſsiſtance, have due recompence made unto them by the Kingdome of England; And that out of ſuch lands and eſtates of the Papiſts, Prelates, Malignants, and their adherents, as the two Houſes of the Parliament of England ſhall think fit. And for the aſſurance thereof, the publick Faith of the Kingdome of England ſhall be given them.

VI. AND to the end the ſaid Army in manner foreſaid may bee enabled and prepared to march, the Kingdome of England is to pay in ready money to their Brethren of Scotland, or ſuch as ſhall have power from the Eſtates of that Kingdom, the ſumme of An hundred thouſand pounds ſterling, at Leith or Edinburgh, with all convenient ſpeed, by way of advance, before-hand, which is to bee diſ-compted back again into the Kingdome of England, by the Kingdome of Scotland, upon the firſt monethly allowances which ſhall grow due to the Scots Army, from the time they ſhall make their firſt entrance into the Kingdome of England.

VII. THAT the Kingdom of Scotland, to manifeſt their willingneſſe to their utmoſt abilities, to be helpfull to their Brethren of England in this common Cauſe, will give the publick Faith of the Kingdome of Scotland, to bee joyntly made uſe of with the publick Faith of the Kingdome of England, for the preſent taking up of Two hundred thouſand pounds ſterling in the Kingdome of England, or elſewhere, for the ſpeedy procuring of the ſaid Hundred thouſand pounds ſterling, as aforeſaid; As alſo a conſiderable ſum for the ſatisfying in good proportion, the Arrears of the Scots Army in Ireland.

VIII. THAT no Ceſſation, nor any Pacification, or agreement for Peace whatſomever, ſhall bee

made by either Kingdome, or the Armies of either Kingdomes, without the mutuall advice and conſent of both Kingdoms, or their Committees in that behalf appointed, who are to have full power for the ſamine, incaſe the Parliament or Convention of the Eſtates of Scotland, or the Houſes of the Parliament of England ſhall not fit.

IX. THAT the publick Faith of the Kingdome of Scotland, ſhall bee given to their Brethren of England, that neither their entrance into, nor their continuance in the Kingdome of England, ſhall bee made uſe of to any other ends then are expreſt in the Covenant, and in the Articles of this Treatie: and that all matters of difference that ſhall happen to ariſe betwixt the Subjects of the two Nations ſhall bee reſolved and determined by the mutuall adviſe and conſent of both the Kingdomes, or by ſuch Committees as for this purpoſe ſhall be by them appointed with the ſamine power, as in the precedent Article.

X. THAT in the ſame manner, and upon the ſame conditions, as the Kingdome of Scotland is now willing to aide and aſſiſt their Brethren of England; the Kingdome of England doth oblige themſelves, to aide and aſſiſt the Kingdome of Scotland in the ſame, or the like caſes of ſtraits and extremities.

LASTLY, It is agreed and concluded, that during the time that the Scots Army ſhall bee imployed as aforeſaid, for the defence of the Kingdome of England, There ſhall be fitted out men of Warre eight Ships, whereof ſix ſhall be of burden betwixt one hundred and twenty, and two hundred Tunne; The other betwixt three hundred and four hundred Tunne, whereof two ſhall bee in lieu of the two Ships appointed by the Iriſh Treaty: all which ſhall be maintained at the charge of the Kingdome of England, to be imployed for defence of the Coaſt of Scotland, under ſuch Commanders as the Earle of Warriek for the time of his being Admirall ſhall nominate, with the approbation of the Committees of both Kingdomes: Which Commanders ſhall receive from the ſaid Earle, generall inſtructions, that they doe from time to time obſerve the directions of the Committees of both Kingdomes.

Signed at Edinburgh the twenty ninth of November, 1643.

Subſcribitur

Argyll.
Lauderdail.
Lindeſay.
Balmerino^{t}.
A Jhonſtoun.
A Hepburne.
J. Smyth.
W Armyne.
Tho: Hatcher.
Rob: Goodwin.
Ri: Barwis.
Robt Fenwicke.

ARTICLES of the Treatie, agreed upon betwixt the Commiſsioners of the Convention of Eſtates of the Kingdome of Scotland, authorized by the Committee of the ſaids Eſtates, and the Commiſsioners of both Houſes of the Parliament of England, having Power and Commiſsion from the ſaids Honourable Houſes, concerning the ſetling of the Towne and Garriſon of Berwick.

WHEREAS the Commiſſioners of both Houſes of the Parliament of England, have received authority from the ſaids Houſes, to treat with the Convention of the Eſtates of Scotland, or thoſe who ſhould be appointed by them, concerning ſuch things as might tend to the mutuall peace and benefit of both Kingdomes in this common danger of Religion and Libertie: And conceiving it neceſſary thereunto, that ſome ſpeedy courſe ſhould bee taken for the ſecurity of the Town of Berwick upon Tweed for the preſent, and ſettling it in ſuch a way for the future, as may give ſatiſfaction to both Kingdomes, and may beſt conduce to their mutuall intereſt, as appeares by their Paper of the fourth of September, delivered to the Committee. And foraſmuch as it hath been thought fit by the Honourable Committee of the Convention of Eſtates for this purpoſe, to authorize their Committee, to treat and debate with the Commiſſioners of the Parliament of England concerning the ſamine: Whereupon the ſaids Commiſſioners and Committees taking it into their ſerious conſideration, conſented and agreed the ſeverall Propoſitions following ſhould be with all ſpeed repreſented by them reſpective unto the two Houſes of the Parliament of England, and to the Honourable Committee of the Convention of Scotland, as an effectuall means for the future ſetling and ſecuring the ſaid Town: Which repreſentation being accordingly made, and theſe enſuing Articles agreed and concluded on by the Houſes of the Parliament of England, and the Committee of the Eſtates of Scotland reſpective, and power by them given to their reſpective Committees and Commiſſioners to ſettle that Town and Garriſon, according to the ſaid Articles, as may appear by an Order of the ſaids Houſes, dated Octob. 27. 1643. and an Order of the ſaid Committee dated the 17. of November, We the ſaids Commiſsioners and Committee, do formally conclude and agree upon theſe following Articles, which we mutually ſubſcribe.

I. IT is agreed and concluded, That there ſhall bee placed forthwith in the Town of Berwick, by the mutuall advice and conſent of both Kingdomes, A Garriſon of the Scots Nation; The Governour and Prime Officers thereof to be approved by the two Houſes of the Parliament of England, or their Commiſſioners in that behalfe appointed; This

Garriſon to conſiſt of Six hundred Foot, and two Troopes of Horſe, ſixty in a Troop, beſides the Officers; or leſſe, or more, as ſhall from time to time be thought fit by the two Kingdomes, or their Committees appointed in that behalf, the which Garriſon is to be part, and payed as part of the Scottiſh Army, which according to the grounds of the Covenant and Treaty being mutually agreed unto, they are to bring into England for the ayde and aſsiſtance of their Brethren. And becauſe it is intended, that the ſaid Army ſhall be (beſides the Garriſon) the full number at leaſt which is propoſed in the Treaty; and that theſe men, Foote and Horſe, will be an over-burden, in reſpect that the Thirty thouſand pounds is not a full monethly pay of the Army, and the charge of the aforeſaid Garriſon by eſtimate, will ariſe unto Fifteen hundred pounds monethly, or thereabouts, It is therefore agreed and concluded, as juſt and reaſonable, that in regard of the new charge, the ſaid Thirty thouſand pounds monethly to be allowed for the ſaid Army, ſhould be made up Thirty one thouſand pounds.

II. THAT the publick Faith of the Kingdome of Scotland, ſhall be given to the Kingdome of England, That when the Peace of the two Kingdomes ſhall be ſettled, there ſhall bee no Garriſon in Berwick, but the Works ſlighted, and the places dismantled, ſo as all monuments, tokens, and ſhewes of hoſtilitie be taken away, according as is ſpecially provided and agreed to, between the two Kingdomes, by the Articles of the large Treaty; and that during the time the Garriſon foreſaid ſhall be and remain in the ſaid Town, the Liberties, Properties, and Priviledges of the ſaid Town, in their perſons, eſtates, or politick Governement, ſhall be maintained and preſerved inviolably unto them, without any moleſtation or infringement; and if any differences ſhall happen to ariſe in and about the ſame, they ſhall be ſetled and determined by the advice of both Kingdomes, or their Committees in that behalf appointed. And to the end that in the meane time the ſaid Town may not be ſurpriſed by the ſaid Papiſts and their adherents, It is further agreed, that the Committees of both Kingdomes ſhall mutually imploy their care and endeavours to ſecure the ſaid Town, till it ſhall be ſetled in maner aforeſaid.

Signed at Edinburgh the 29. of November 1643.

Sic ſubſcribitur

Argyle.	
Lauderdale.	Sir William Armyne.
Lindeſay.	Thomas Hatcher.
Balmerinoch.	Robert Goodwein.
Sir Arch. Johnſtoun	Richerd Barveis.
Sir Adam Hepburne.	Robert Fenwick.
Sir John Smyth.	

AT EDINBURGH the 31. of January 1644.

THE Convention of Eſtates conſidering that this Kingdome having entred into a ſolemne League and Covenant, for Reformation and Defence of Religion, the Honour and Happineſſe of the Kings Majeſtie, and the Peace and Libertie of the Kingdomes of Scotland, England, and Ireland: and in purſuance of theſe ends, being forced to leavie an Armie to bee ſent into England: and that by the ſaid Covenant they are bound in Conſcience, Dutie, and for their own ſafetie, To contribute their beſt endeavours in providing of ſome means for preſervation of Religion, Laws and Liberties, from utter ruine; for relief of the neceſſities of the Armie ſent from this Kingdom for that purpoſe; and for ſome ſupply of the extreme wants of the Scots Armie in Ireland. And alſo remembring that the great burdens of this Kingdome have hithertills lyne upon the well-affected, who did willingly embrace the ſame, whiles the Malignants were uſing all cunning wayes, both to free themſelves, and hinder others, Do finde it abſolutely neceſſar, that ſome conſtant, juſt, and equall way, leaſt prejudiciall to the Kingdome, and moſt beneficiall to the Cauſe in hand, be reſolved upon, for ſettling ane ſolide foundation of a ſtock of credit and ſecuritie, whereupon ſummes of Money may be raiſed for the preſent ſupply, and future relief of the neceſſities of theſe Armies: And after ſerious deliberation have agreed, that the ſame ſhall be by way of Exciſe.

And accordingly Statutes and Ordains, that the ſeveral Rates put upon the Exciſeable goods contained in the Roll thereof ſet downe thereanent, ſhall be laid on all and every one of the Commodities therein ſpecified, over and above all Cuſtomes, and other duties due and payable for the ſame: And recommends to the Committee of Eſtates, To take ſome courſe how this Exciſe may moſt ſpeedily, and with leaſt trouble and expence to the Kingdome, be up-lifted thorow the Shires and Burrows thereof.

AN Act of the Eſtates of Scotland, for raiſing of Moneys for a preſent ſupply to the Armies ſent into England and Ireland.

AT EDINBURGH the ſecond of February 1644

FORSAMEIKLE as the Convention of Eſtates finding themſelves bound in conſcience and dutie for ſetling of a ſtock of credit and ſecurity, whereupon ſummes of Money may be preſently raiſed for ſupply of the Army ſent into England, and relieving in ſome meaſure the extreme wants of the Scots Army in Ireland, Did conclude and agree that the

ſame ſhould be by way of Exciſe; Yet conſidering that the neceſſitie of the Armies cannot admit of delayes, and the ſummes to be raiſed on this Exciſe will not be timouſly gotten in for ſupply thereof, But that the ſamine joyned with the Publick Faith of this Kingdome, may be a ſufficient ſurety to any that will advance Moneys in the interim;

HAVE therefore thought fit to require and ordain, That all perſons of this Kingdome, who have Moneys, or by their credit and ſurety can beſt and ſooneſt raiſe Money, To lend the ſame to the Eſtates, or their Committees, for the uſes foreſaids, Who ſhall have aſſurance for their repayment from the Publick, out of the Moneys due by the Kingdome of England to the Armies, according to the proportion to be advanced to either of them reſpective; Or that ſhall be raiſed upon this Exciſe, which the Collector and his Deputes ſhall be bound to pay them, out of the firſt of his intromiſſion thereof; Or by any other manner of ſurety, private or publick, they ſhall deſire. And in caſe any ſhall deſire private ſurety, It is hereby ordained, that the perſons whom the Lenders ſhall deſire to be bound to them, ſhall either obliege themſelves to the Lenders, or furniſh the Moneys themſelves: and in either caſe ſhall have publicke ſurety foreſaid for their reliefe. And the perſons thus obliged to the Lenders in a private ſurety, ſhall have ſuch others of any Eſtates (that are in the Towne or Shire where the Money is to be borrowed) joyned with them as they ſhall deſire.

AND for the better proſecuting hereof, The Eſtates gives power to their Committee, in ſuch an exigencie, and upon warrandize of repayment foreſaid, To call before them all ſuch perſons as are knowne to be able by themſelves or their credit to Lend or raiſe Money; And to require and ordaine them to Lend, or give ſuch ſurety as will preſently raiſe the ſummes of Money the Committee ſhall require from them, upon the aſſurances above-written. And if any ſhall refuſe, with power to the Committee, To take ſuch courſe with them, as in a time of ſo preſſant neceſſity they ſhall thinke fitting to make them advance Moneys, as ſaid is. But if any will be pleaſed upon this ſecurity willingly to offer Moneyes, it ſhall be eſteemed and imbraced as a reall teſtimony of their affection to Religion and the Cauſe in hand.

AND further, the Eſtates gives hereby power and command to the Committee of Warre in the Shires, To take ſuch courſe within their ſeverall bounds for procuring of Moneys in manner foreſaid, as is above-written, or from time to time ſhall be direct to them from the Committee of Eſtates, and to report.

LIKEAS, The ſaids Eſtates of Parliament ſtatutes and ordains, the borrowing of Moneys, conforme to the Act above-written made there-anent by the Convention of Eſtates, and hereby ratified, to endure while the firſt day of Auguſt 1645. years; And declares, That there ſhall be no returning for borrowing of Moneyes from theſe perſons who has already lent Moneyes by ordinance of the Committee, conforme to the ſaid Act, and who has accordingly payed the ſamine, and received ſecurity from the Publicke therefore.

AND farther, The ſaids Eſtates of Parliament, but derogation to the particular and generall ratifications reſpective before-rehearſed, likewiſe ratifies, approves, and confirmes thir Acts after-ſpecified, made by the ſaid Convention of Eſtates; viz. The Act anent the conſtitution of the foreſaid Convention of Eſtates, declaring the ſaid Convention to be lawfully called, and als full and free in it ſelfe, conſiſting of all the Members thereof, as any Convention has beene at any time by-gone, dated the 26. day of June 1643. years. Item, the Act of the Convention of Eſtates appointing the Loane and Taxt therein mentioned, dated the 15. day of Auguſt 1643. years. Item, the Act of the Convention of Eſtates eſtabliſhing the Committees of Warre in the ſeverall Shires, dated the 26. of Auguſt 1643. years. Item, the Act of the Convention of Eſtates eſtabliſhing the Committee of Eſtates, dated the 26. day of Auguſt 1643. years. Item, the Act of the Convention of Eſtates concerning the Cuſtome of Armes and Ammunition, dated the ſixth day of January 1643. years. Item, the Act of the Convention of Eſtates, dated the 16. of Auguſt 1643. ratifiing the Commiſſion and Warrant granted by the Kings Majeſtie, with conſent of the Lords Commiſſioners of his Majeſties Theſaurarie and Exchequer, under the Great Seale, of the date at Yorke the 7. of May 1642. to John Earle of Lowdoun, Lord high Chancellour of Scotland, To ſell and diſpone all and whole the annuitie of teinds, due to his Majeſtie for payment of the prices, and with the deductions and other proviſions contained in the Commiſsion, and to uplift and intromet with the ſamine annuitie during his life-time; With the Act of the Lords of Exchequer made thereanent the 27. of June 1642. years; Together with the Letters of gift granted by his Majeſtie to James Levingſtoun Keeper of his Highneſſe Privie Purſe, of the foreſaid annuitie of Teinds, with the rights and diſpoſitions of the ſame, made by the ſaid James Levingſtoun to the ſaid Earle of Lowdoun Chancellour. Item, the Act made by the Convention of Eſtates anent the Wards of ſuch as ſhall die in the publick ſervice, dated the 6. day of January 1644. years. Item, the Act made by the Convention of Eſtates upon the firſt day of February 1644. years, for putting of the Kingdome in a Poſture of Defence; And the joynt Declaration

of both Kingdomes for vindication and defence of Religion, Liberties, and Lawes, againſt the Papiſts, Prelaticall and Malignant party, dated in Scotland the 6. of January 1644. and in England January 30. 1643. Together with all other Acts, Decreets, Sentences, Precepts, Warrants, Commiſsions, Inſtructions, Declarations, and other Ordinances and Deeds, made and done by the ſaid Convention of Eſtates, or by the Committee from the Convention of Eſtates, In all and ſundry heads, clauſes, conditions, proviſions, and circumſtances whatſoever, of the ſaids particular Acts immediately above ſpecified, and ilk one of them, with the Commiſsions, Gifts, Warrants, Diſpoſitions, and others Rights mentioned in the ſame particular Acts above-written, or any of them; And in all and ſundry the heads, articles, clauſes, and conditions of the foreſaids others Acts, Decreets, and others generally above-mentioned, made by the Convention of Eſtates, or Committee thereof foreſaid. And the ſaids Eſtates of Parliament ordains the foreſaids whole Acts and others reſpective particularly and generally above-mentioned, and every one of them, to have the force, ſtrength, and authority of Acts and Ordinances of Parliament, and to be as valid and effectuall in all points, conforme to the tenors thereof, as if the ſame and every one of them were verbatim and at length inſert in this preſent Ratification, whereanent the Eſtates of Parliament hereby diſpenſes. Like as the ſaids Eſtates of Parliament, taking into conſideration the ſervice performed by Archbald Primeroſe, Clerk to the ſaid Convention and Committee, findes and declares, That he hath carefully and faithfully diſcharged the duty incumbent to his Office, and fully anſwered the truſt of his imployment, and therefore approves his carriage therein, and declares he hath behaved himſelfe as an able Clerk, and loyall Subject.

XVI JULII.

COMMISSION for theſe that goes to England concerning the Propoſitions of the Articles for a Treatie of Peace.

THE ESTATES of Parliat preſentlie conveened be vertue of the last act of the last parliat holden be his Matie and Three eſtates in anno 1641. Conſiddering that this kingdome (after all other meanes of Supplications, Remonſtrances, and ſending of Coñrs to his Matie, have bene vſed without ſucceſſe) did enter in a ſolemne league and Covenant with the kingdome & parliament of England for reformation and defence of Religion, the honr and happines of the king, the peace and ſaftie of the three kingdomes of Scotland, England, & Ireland, and a Treaty agreed vpon, and an Armie & forces raiſed and ſent out of this kingdome for theſe ends Whervpon the Convention of Estates of this kingdome, the 9. of Januar last, being deſirous to vſe all good and lawfull meanes that truth and peace might be eſtabliſhed in all his Maties dominions with ſuch a bleſsed pacification betuixt his Matie and his ſubjects as might ſerve most for his Maties true honr, and the saftie and happines of his people, Granted Cōmiſsion to John Erle of Loudoun high Chancellor of Scotland John Lord Maitland then and yet in England, Sr Archbald Johnston of Waristoun one of the Lords of Seſsion, and Mr Rot barclay now in England, To repair to England with power to them or any two of them To endeavoir the effectuating of the foirſd ends conforme to the Cōmiſsion and Instructions then given to them, As the Cōmiſsion of the date foirſd, proports. Like as the ſaids Johne Lord Maitland Sr Archbald Jhonston of Wariston & Mr Robert barclay have ever ſince attended in England in the diſcharge of the foirſaid Cōmiſsion Whill lately that Sr Archbald Jhonston is returned with ſome propoſitions prepared by the Cōmittee of both kingdomes to be preſented to the Estates of Scotland and to both houſes of the Parliament of England, And by them to be reviſed and conſidered, And then by mutuall adviſe of both kingdomes to be preſented for ane ſafe and well grounded peace which propoſitions ar reviſed conſidered & adviſed be the Eſtates of Parliament now conveened, and their ſenſe & reſults drawen vp thervpon. WHICH Cōmiſsion is to endure whill the coming of the Coñr vnder wryttin. And heirwith alſo conſidering that the ends for the which the ſamen was granted, ar not yet effectuat, and that the propoſitions with the Eſtates, their reſults thervpon ar to be returned to the Parliat of England THERFOR the Estates of Parliat be thir preſents Gives full power and Cōmiſsion to the ſaid John Erle of Loudon Lord high Chancellar of this kingdome, Archbald Marqueis of Argill and John Lord Balmerino for the Nobilitie Sr Archbald Johnston of Wariſtoun, Sr Charles Erskine of Cambuſkenneth and Mr George Dundas of Maner for the Barons, St John ſmith of Grottell proveſt of Edinbt Hew Kennedy burges of Air, and Mr Robert barclay for the burrowes, (the three eſtates of this kingdome) and to John Lord Maitland ſupernumerarie in this Cōmiſsion, or to any three or more of the whole number their being one of ilk eſtate, As Coñr from the Estates of Parliament of this kingdome To repair to the kingdome of England (ſuch of them as ar not there already) And with power to them or any three or more of the whole number, ther being one of ilk eſtate To endevoir the effectuating of the foirſd ends, the concluding of the Propoſitions with the Estates their reſults thervpon and all ſuch other matters, concerning the good of both kingdomes, as ar or ſhall be from time to time cōmitted vnto them be the Estates of this kingdome or Cōmitties therof according to the Instruc-

tions given or to be given to the Coñ'ɛ abovenamed or their Quorum. And for this effect, the Estates ordaines John Erle of Loudon Chancellar, John Lord Balmerino Sr Archbald Jhonston of Wariſtoun Sr Charles Erſkine of Cambuſkenneth and Hew kennedy to repair with all diligence to the kingdome of England to the effect before rehearſed, conforme to this Cōmiſsion and Instructions As alſo the Estates ordaines the ſaids Archbald Marqueis of Argill Mr George Dundas of Maner and Sr John Smith proveſt of Edinb^r to repair to the kingdome of England with all ſuch conveniencie as the occaſion of the buſsines ſhall require, Or as they ſhall be cōmanded, either by the Cōmittee from the parliament heir they being in Scotland or by the Comittie with the Armie they being in England. And ordaines them to Joyne with the remanent Coñ'ɛ to the effect abovementionat, conforme to the Cōmiſsion and Instructions given or to be given to the Coñ'ɛ or their quorum theranent be the Estates of this kingdome or Cōmitties therof. And the Estates of Parlia^t be thir pñts holds and ſhall hold firme & ſtable all and whatſumevir things the Coñ'ɛ abovenamed or any three or more of them ſhall doe conforme to this Cōmiſsion and to the inſtructions given or to be given to them.

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27 DECREET of forfeiture againſt the Laird of Haddo, and ordaining his Lands, Goods, and Eſtate, to be applyed for the uſe of the Publick.

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28 DECREET of forfeiture againſt [Capitane] John Logie.

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29 COMMISSION to the Marqueſſe of Argyle.

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30 DISCHARGE by the Parliament of Scotland to the Parliament of England of 30000. pounds ſterling.

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XVII JULII.

ACT In favo'ɛ of Williame erle of Lothiane.

31 AT EDINBURGH the Sevintene day of Julij the yeir of god J^m vj^c^ fourtie foure yeiris The eſtates of parliament pūtlie convenid be vertue of the laſt act of the laſt parliament haldin be his mātie and the thrie eſtates in anno 1641 HAVEING hard and conſiddered the report of that cōmittee appointed be them ffor heiring Williame erle of Lothiane Lord ker of Newbottill his report of his employment and cōmiſſioune to ffrance w^t the cōmiſſion granted be the Lordis of privie counſell to the ſaid Erle of Lothiane anent the ſamen employment FINDIS That he with extraordinar paines and great affectioune hathe gone about the ſame and faithfullie diſcharged the truſt theirby cōmitted to him AND Approves the foreſaid cōmiſſioune granted to the ſaid Erle of Lothiane be the counſell with the counſells employing him for the endis therein contenit and his faithfull diſcharge of the ſaid cōmiſſioune AND ffindis That he hes worthilie acquitt himſelfe theiranent according to the truſt put vpon him AND CONSIDDERING that the ſaid Erle of Lothiane hes bene at great charges and expenſſ^e and hathe ſuſtenid great loiſe hurt and prejudice through the delayes of his diſpatche in the ſaid employment occaſioned be the deathe of the king of ffrance and throw his awne feeknes in that kingdome and by his reſtraint at Oxford and long impriſonement in England in the caſtle of Briſtoll, Whilkis charges expenſſ^e loiſ hurt and prejudice the convention of eſtates be their act the thrid of Jannuar laſt declared they wald mak vp THAIRFORE THE ESTATES of this preſent parliament RECŌMENDIS and Remittis To the cōmittee of eſtates reſideing at Edinburgh To conſidder agane, the ſaid Erle his charges expenſſ^e loiſſes and prejudices occasioned in maner foreſaid with his deſervingis and panes in the ſaid employment And that vpon his awne declaration according to the act of the convention of eſtates, They name ſet doune and appoint ane certane ſowme of money in recompence theirof with the terme of payment of the ſame to him Quhilk ſowme of money ſua to be ſet doune be the ſaid cōmittee of eſtates The eſtates of this pñt parliament Ordanes to be payed to the ſaid Williame erle of Lothiane his airis and aſſigneyis at the terme that the ſaid cōmittee of eſtates ſhall appoynt Out of the firſt and readieſt of his māties rentis of his kingdome of Scotland propertie and caſualties þ^r off off the cropte and yeir 1643. and of all ſubſequent croptis and yeiris thereafter Ay and q^ll the ſaid Erle of Lothiane and his foreſaidis be compleitlie payed of the ſame ſowme and of all anuelrentis þ^r of or ony parte of the ſame during the not payment thereof AND for the ſaid Erle his better and more readie payment of the foreſaid ſowme and anuelrentis The ſaidis eſtates Recōmendis the maner and way thereof to be ſet doune and preſcryved be the ſaid Cōmittee of eſtates in ſick forme as may beſt ſerve for the ſaid Erle his readie and reall payment of the foreſaid ſowme and anuelrentis therof OUT of his Māties rentis propertie and caſualities þ^r of foreſaid the ſaid cropte and yeir 1643 and ſubſequent yeiris theirafter whill the ſaid Erle be compleitlie payed of his ſowme foreſaid and anuelrentis þ^r of

XVIII JULII.

ACT for putting the Acts againſt Run-aways and Deficients to execution.

32 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in Anno 1641. Conſidering that the Acts made by them anent Run-awayes and Fugitives from the Armies, and anent the deficients in out-putting of their Foot and Horſe, are not put to due execution againſt the ſaids Fugitives and contraveeners thereof; Therefore the ſaids Eſtates by thir preſents gives power and warrant to the perſons after-ſpecified, within the ſeverall Shires and Presbyteries underwritten, deſigned and condeſcended upon by the Commiſſioners of the Shires, to be the gatherers and bringers up of the foreſaids Fugitives Horſe and Foot within the ſaids ſeverall Shires and Presbyteries: viz. For the Sheriffdom of Edinburgh, to Sir James Fowls of Colington for the Presbytery of Edinburgh, and to Dundas of Arneſton for the Presbyterie of Dalketh: For the Sheriffdome of Fyfe, George Hay of Nauchton for the Presbyteries of Saint Andrews and Cowper, and to Robert Dempſter of Barnbougie for the Presbyteries of Kirkaldie and Dumfermling: For the Sheriffdome of Lithgow, to David Dundas of Philpſtoun: For the Sheriffdome of Lanerk to John Hammiltoun of Gilkerſcleugh, and David Hamilton of Auchintoll for the overward of Cliddiſdale, and to Hammiltoun of Hags, and James Hammiltoun younger of Woodhall for the Netherward of Cliddiſdale: For the Sheriffdome of Drumfreis, to John Crichtoun of Crawfordſtoun for Nithiſdale, and to James Johnſtoun of Corheid for Annandale: For the Sheriffdome of Stirlin, to John Rollock of Bannockburne: For the Sheriffdome of Hadingtoun to Maſter John Hepburne of Smetoun: For the Sheriffdome of Berwick to John Hume of Nanewar, and Robert Trotter of Rowcheſter: For the Sheriffdome of Clackmannan, to Shaw of Sauchie: For the Sheriffdome of Peebles, to Andrew Hay of Hayeſtoun, Sheriffe-depute, or Maſter John Hay his ſon: For the Sheriffdome of Bute, to Ninian Stuart of Kilchattan: For the Sheriffdome of Air, to Cunningham of Cunninghamheid for Cunningham, to Sir William Cunningham of Capringtoun for Kyle, and to Mac-Alexander of Corſcleyes for Carrick: For the Sheriffdom of Kincardin, to Robert Douglas of Brigfoord: For the Sheriffdome of Roxburgh, to the Officers and Commanders of the Earle of Lowthians Regiment lying within the Sheriffdome of Roxburgh: For the Sheriffdome of Perth, to Sir Patricke Ogilvie of Inchmartin, for the Presbyterie of Dunkell, to George Drummond of Ballach, for that part of the Presbyterie of Megle lying in Perth ſhire; to William Oliphant brother to umwhile Maſter Ninian Oliphant of Colteuchar, for the Presbyterie of Perth; to Sir John Hadden of Glenegies for the Presbyteries of Dumblane and Auchterardour; all thir for the Foot Fugitives of the ſaid Shire; and to Laurence Ogilvie of for the Fugitives of the Cavailrie of the Sheriffdome of Perth: For the Stewartrie of Kirkcudbright, to Thomas Rome appeirand of Ernegray for the ten Pariſhes beneath Ure, and to William Mackulloth of Arduell for the reſt of the Stewartrie: For the Sheriffdome of Wigtoun, to Uchter Mac-Dowell of Frewch for the Presbyterie of Stranrawer, and to David Dumbar of Baldone for the remnant of the ſaid Shire: For the Sheriffdome of Aberdene, to Sir William Forbes of Craigivar: For the Sheriffdome of Renfrew, to Brice Semple of Cathcart: For the Sheriffdome of Forfar, to Grayhame of Fintrie: For the Sheriffdome of Selkirk, to James Pringle of Torwoodlie: For the Sheriffdome of Innerneſſe, to Thomas Fraſer elder of Strechiſſe: For the Sheriffdome of Argyle, to Campbell of Ardchattan: For the Sheriffdome of Bamff, to Sir Alexander Abercrombie of Birkinbogue: For the Sheriffdome of Sutherland, to Gordoun of Kinbo: For the Sheriffdome of Murray, to the Laird of Innes: For the Sheriffdome of Nairne, to Roſſe of Kilraok: For the Sheriffdome of Cromartie, to Urquhart of Dunlugus: To put the Acts anent the Run-awayes and Deficients to due and exact execution, within the whole bounds of the Shires and Presbyteries reſpective above deſigned to them and ilk ane of them in manner above divided (excepting alwayes the free Royall Burrowes within the foreſaids whole bounds.) And the Eſtates Ordains the Committees of Warre in the ſeverall Shires and bounds reſpective above-ſpecified, to bee aſſiſting to the perſons above-named, in the putting of the ſaids Acts to execution; And to apprehend the ſaids Run-awayes, and the Reſetters to be fined according to the Acts; and that there be one or more hanged in example of others, conforme to the Act, and the reſt to be brought to Edinburgh by the forenamed perſons reſpective appointed for putting of the foreſaids Acts to execution within the Shires, Presbyteries, and bounds above-mentioned, that they may be ſent from thence to the Army. With power to the ſaids perſons reſpective above-named, To take up the fines contained in the ſaids Acts, within the bounds reſpective above-ſpecified deſigned to them, the one halfe thereof to themſelves for apprehending of the ſaids Run-awayes, and the other halfe to be payed to the Publick, and the expences of the Run-awayes entertainment, and bringing them to Edinburgh, to be payed out of the Publicks halfe, and the ſuperplus to be payed to the publick. And Siclike, The ſaids Eſtates grants the like power and warrant as

is above-ſpecified, to the Proveſts, Baillies, and Magiſtrates of the whole free Royall Burrowes of this Kingdome, for putting of the foreſaids Acts to exact execution within their Burghs and Juriſdictions thereof againſt the Run-awayes and Deficients, and for apprehending and bringing of them to Edinburgh, and hanging of them, one or more, in example of others, conforme to the foreſaid Act; and for taking up of the foreſaids fines, the one halfe thereof to the Magiſtrates themſelves for apprehending of the ſaids Run-awayes, and the other halfe to be payed to the Publick, and the expences of the Run-awayes entertainment and bringing them to Edinburgh, to be payed out of the Publicks halfe, and the ſuperplus to be payed to the Publicke, as ſaid is. And the Eſtates ordaines the Clerke of Regiſter to extract, ſubſcribe, and deliver to the Magiſtrates of ilk free Burgh Royall, and to ilk one of the ſeverall perſons above-named for the ſeverall Shires, Presbyteries, and Diviſions above-ſpecified, ſeverall Extracts of the power and Warrant above-written, granted to them by the Eſtates of Parliament for the ſeverall Shires, Burghs, Presbyteries, and bounds reſpective above-mentioned, committed to their charge, in manner above-deſigned.

ACT in favours of the free Royall Burrowes anent their relief, and payment of the ſummes advanced by them to the Factors in Campheir, for the Arms and Ammunition ſent to this Countrey in the late Troubles.

33 ANENT the ſupplication given in to the Eſtates of Parliament now preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in Anno 1641. whereof the tenor followes:

THE humble Petition of his Majeſties free Burrowes, To the Right Honourable the Lords and others of this preſent Parliament; Shewes,

THAT whereas this Kingdome being ingaged to the Factors of the Nation at the Town of Campheir, they having ingaged themſelves in great ſummes of Money for inbringing of Powder and Ammunition within this Countrey the time of the late troubles, For whoſe reliefe the Nobility in an earneſt manner did deale with the Burrowes for ſatisfying of the ſaids Factors; For which cauſe many of the ſaids Burrowes did ingage themſelves to the ſaids Factors, and made payment to them of their ſaids Moneyes, according as the ſamine was layed upon them, conforme to their Taxt Roll: Herefore it is humbly deſired, That the ſaids Lords and others of the Parliament would be pleaſed, To cauſe the ſaids Burrowes, who has payed their ſummes to the ſaids Factors, to be preſently ſatisfied; Or otherwiſe, That they will give warrant to the ſaids Burrowes to retaine als much Money off the firſt and readieſt of the Loane Money, or other ſummes due by them or any of their neighbours to the Eſtates. And your Lordſhips anſwer humbly we crave, as the Supplication proports.

WHICH Supplication above-mentioned, being read in audience of the Parliament, and the ſamine, with the deſire thereof, tane in conſideration by the Eſtates of Parliament, The ſaids Eſtates findes the deſire above-written of the Supplication reaſonable, And therefore, and in reſpect of the compt produced (made before the Committee of the common Burdens, and ſubſcribed by Robert Hepburne Clerk thereof) Bearing the particular ſummes payed and advanced to the Factors at Campheir, by the ſeverall Burrows and Burgeſſes reſpective, therein contained, with the Annual-rents of the ſamin ſummes. The ſaids Eſtates ordains the ſaids Burrows and Burgeſſes reſpective, contained in the ſamin compt, To be payed off the ſaids ſummes & Annual-rents thereof, Out of the Exciſe or borrowed Moneys due to the publick, and which is to be exacted, uplifted, or borrowed for the uſe of the publick, within theſe Burrows reſpective, who, or their Burgeſſes, hes payed and advanced the ſaids ſummes to the Factors. And for this effect, The ſaids Eſtates by thir preſents, Gives precept and warrant to the Theſaurer, or Collector Generall of the foreſaid Exciſe, and to the Commiſſar or Intrometters with the Money borrowed for the uſe of the Publick, to make payment to the ſaids free Burrows, and to the ſeverall Burgeſſes thereof reſpective, advancers and payers of the ſummes above-mentioned to the Factors in Holland, Off the ſamine ſummes ſua payed and advanced, by ilk one of the ſaids Burrows and Burgeſſes reſpective, for their own parts, and of the Annual-rents of the ſamin ſummes yet reſting unpayed to them. And that out of the Exciſe or borrowed Moneys due to the publick, and to be exacted, uplifted, and borrowed for the uſe of the publick, within theſe free Burrows reſpective of this Kingdome, who, or their Burgeſſes reſpective thereof, hes payed the foreſaids ſummes to the ſaids Factors in Holland, conforme to the foreſaid compt produced for inſtructing of their ſeverall payments therein ſpecified, and whereof repayment is now craved by the ſaid ſupplication. And ordains every one of theſe free Burrows or their Burgeſſes, payers and advancers of the foreſaids ſummes, to have ſeverall Acts and Precepts ſubſcribed and delivered to them by the Clerk of Regiſter, to the effect above-ſpecified, for payment of their ſeverall ſummes and Annual-rents thereof yet reſting unpayed, ilk ane for their own parts, in manner contained in the ſaid compt produced, and according to the Diviſion therein ſpecified.

XIX JULII.

COMMISSION for the Northerne Buſineſſe.

34 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in Anno 1641. Conſidering that the Convention of Eſtates of this Kingdome, upon occaſion of the recent Northerne Rebellion, did nominate and appoint a Committee, conſiſting of certain Noblemen, Barons, and Burgeſſes, to go alongs with the Forces ſent thither for ſuppreſsing of the ſaid Rebellion; Giving full Power and Commiſsion to them, to provide Victuall and all other neceſſars for the uſe of the ſaid Army, and to have the Government of the affairs thereof, and to purſue the Authours, Actors, and Aſsiſters in the ſaid Rebellion, and to call before them all Malignants, and Oppoſites, and to cenſure them, and to give their concurrence for ſetting on and eſtabliſhing of the matter of the Exciſe, and for bringing forth of the Forces, Horſe and Foot, appointed by the Printed Orders, and for eſtabliſhing the Peace of the Countrey, and for doing and managing of certaine other great and important points at length conteined and expreſt in the ſaid Commiſsion; as the ſamin dated the ſixteenth day of April laſt by-paſt bears. And that the ſaid Committee, according to the ſaid Commiſsion, having gone alongs with the ſaid Army to the North; Hes moſt carefully and prudently acquit themſelves of that great and weighty charge committed unto them, in diſsipating the Army of the ſaid Rebellion, apprehending ſome of the prime authours thereof, and their aſſociates, and ſending them to the Committee of Eſtates at Edinburgh, to receive their tryall there, or before the high Court of Parliament; in taking of all the ſtrong Holds and Caſtles belonging to the ſaids Rebels, and fortifying the ſame with Gariſons; in providing the ſaid Army with Victuall, and all other neceſſars, in citation of the Rebels and Malignants before them, to the number of four or five hundreth perſons or thereby, and putting ſuch as compeired under band, and in the execution of many other important points and paſſages at length conteined in the report made by the Lord Marqueſſe of Argyle, as chief Commander of the ſaids whole Forces, Horſe and Foot, ſent alongs in the ſaid expedition, and by the Lord Burghlie as Preſident of the ſaid Committee, unto the Eſtates of this preſent Parliament; As their ſeverall reports and Ratification and Approbation of their good ſervices granted to them in this preſent Parliament at length bears. And howſoever the ſaid Lord Marqueſſe of Argyle, and the ſaid Lord Burghlie and remanent of the ſaid Committee, and all other, Noblemen, Gentlemen, and others intereſſed in the ſaid imployment, have ſo acquit themſelves therein, that ſuch ſucceſſe could not be expected in ſo ſhort time, yet in regard of the preſent Parliament, were then forced to break up, and adjourne their meetings untill the twentieth day of June laſt by-paſt; and which ſince have been continued by order of Parliament, firſt, untill the eleventh of July, and thereafter untill the twenty fifth day of July, inſtant; ſo that there reſteth many and weighty matters to be done, which doth require and call for the election of a Committee of Eſtates for finiſhing and ſetling thereof. Therefore the ſaids Eſtates of Parliament preſently conveened, by vertue of the ſaid laſt Act made in the laſt Parliament, have nominate and appointed, and by theſe preſents nominates and appoints John Earle of Sutherland, William Earle Marſhall, James Earl of Murray, John Earle of Kinghorne, Earle of Seaforth, James Earle of Finlater, Vicount of Artbuthnet, Vicount of Frendraucht, Lord Forbes, William Lord Fraſer, John Lord Loure, Geo. Lord Gordon, James Lord Carnegie, David Lord Elcho, Grahame of Morphie elder, ſir Alex. Carnegie of Pittarro, John Barclay of Johnſtoun, Alex. Fraſer of Philorth, John Forbes elder of Leſly, or William Forbes his ſonne in his abſence, ſir William Forbes of Craigievarre, or John Kennedy of Kermukkis in his abſence, Tho. Areskine of Pittodrie elder, or Tho. Areskine younger of Pittodrie in his abſence, Arthur Forbes of Echt, or Alex. Straquhane of Glenkindie in his abſence, Ogilvie of Boyne, ſir Alex. Abercrumbie younger of Birkenboig, Geo. Baird of Auchmeddane, ſir Rob. Inneis of that Ilk, ſir John Grant of Freuchie, Roſſe of Kilrawick, or John Grant of Moynes in his abſence, ſir James Fraſer of Dolles, Lieutenant Colonell Arnet, ſir James Melvill of Bruntiland Knight, Gourlay of Kingraige, Weymes of Fingask, John Seaton Fiar of Lawfreis, Major Meldrum, and Maſter James Baird of George Jameſon in Cowper, Thomas Haliburtoun in Dundie, John Auchterlonie in Aberbrothick, Robert Beattie in Montroſe, James Pedether, Patrick Leſly Proveſt of Aberdene, Maſter Alexander Jaffray there, Maſter William Moir there, Walter Cochrane there, Maſter Robert Ferquhair there, Maſter Alexander Douglas Proveſt of Bamff, Maſter John Hay in Elgin, Duncan Forbes in Innerneſſe, Maſter John Dumbar in Forres, Maſter John Douglas in Elgin: To be of this the ſecond Committee for the ſaid Northern expedition throughout the whole bounds of the Sheriffdoms of Kincardin, Aberdene, Bamff, Elgin, and Forres, Innerneſſe, Nairne, Sutherland, Caithneſſe, Cromartie. And nominates the ſaid Robert Lord Burghlie to be Preſident of the ſaid Committee: With power to them or any nine promiſcuouſly of them who ſhall be a Quorum, to bee a Committee of Eſtates, to goe toward the North, and to have the Government of the Forces left there, and to

give their beſt advice and aſſiſtance in what may conduce to the good and ſafety of the ſame, and to make and ſet down ſuch order thereanent, as they ſhall think fitting, for ſuppreſsing of any inſurrection that ſhall ariſe, and for appointing of the Countrey to aſsiſt the ſaids Forces, when they ſhall be required by him who ſhall have the command thereof: As alſo to provide Victuall and other neceſſars for the ſaids Forces, and to call before them all, and ſuch Malignants as have already ſet caution for their compearance, and their cautioners who are oblieged to preſent them, and to proceed to the proceſſing, trying, and cenſuring of them, as they ſhall think meet, and as the merits of their ſeverall crimes and offences ſhall require; either by puniſhment of their Perſons and ſecuring thereof, or by impoſition of Fines upon them and uplifting thereof, or otherwiſe; and to deduce all lawfull probation thereanent, by writ, witneſſe, oath of party or aſſiſes, and to take ſuch courſe as in juſtice they ſhall think meet, againſt the more notorious Rebels and Malignants who are Fugitives, and againſt whom order is given forth by the former Committee to be brought in dead or alive, and ſummes of Money, and prices ſet down upon them, to be payed to the takers, apprehenders, and inbringers of them; and als againſt all others the abſents who have not yet compeired before the former Committee, that they may bee brought to due tryall and puniſhment, as the ſaid Committee ſhall think fit. And als to call before them all Excommunicate perſons, and non-ſubſcribers of the Covenant, and to bring them alſo to due tryall, cenſure, and puniſhment, as the ſaid Committee ſhall think meet, without prejudice of any other courſe or farther Fines to be laid on by the Eſtates of Parliament upon the ſaids Rebels and Malignants. And als to take notice of the loſſes ſuſtained by our friends and wel-affected perſons in the North, upon occaſion of the ſpoliation, thefts, robberies, depredations, oppreſſions, and heirſhips done and committed by the Rebels and Malignants, for not adjoyning and adhering to them in their Rebellion and Rebellious courſes, And for that effect to direct forth ſummonds and precepts at the inſtance of the parties complaining, or of the Procurators of the Eſtates their aſſiſting, or ex officio Judicis, againſt whatſoever perſon or perſons their Adherents and Complices, and to grant all neceſſar proceſſe thereintill. Decreets and ſentences thereupon to give forth, pronounce, and deliver, and the ſamine to due execution cauſe be put, and for recompence and payment to be made to the ſaids perſons of their loſſes, as they ſhall be juſtly proven and qualified forth of the eſtates and goods of the committers of the ſaid ſpoliation, thefts, reiſes, and robberies; or if the ſamine cannot be had there, forth of the readieſt of the Rents of whatſoever other Malignants, or forth of the Fines to be impoſed and lifted upon and off the ſaids Rebels and Malignants their eſtates and goods. And ſuch like with power to the ſaid Committee, to put the whole orders formerly given forth by the former Committee, to due execution in all points, inſiſting where they left, untill the finall end and execution thereof. And to compell the perſons who were ordained by the former Committee, to lend Moneys for the uſe of the Publick to pay the ſame. As alſo to call before them all ſuch other perſons as are able to lend, or by their credit to raiſe Moneys, or furniſh Victuall for ſupply of our Armies in this Kingdome, or in England and Ireland. And to ordain them to lend ſuch ſummes of Money, and furniſh ſuch proportion of Victuall as they ſhall think fitting, upon aſſurance of repayment from the Publick, out of the Arrears due to the Armies in England or Ireland, out of the Exciſe, or out of the readieſt of Malignants Lands and Rents; or forth of the readieſt Moneys and Rents, or other publick dues whatſoever, pertaining, or that ſhall appertaine to the Publick, according to the Acts and Practice of the Convention of Eſtates already in Force in ſeverall parts of the Kingdom. And that they give their beſt concurrence for the raiſing and ingathering of the Taxt, Loane, and Exciſe in theſe bounds. And als with power to them to give orders for bringing forth of the Forces, Horſe and Foot, appointed to be brought forth of theſe Northern Shires, and to ſee them punctually done, and all other Acts of the Parliament, or Convention of Eſtates, or their Committees, to be put to due execution. And ſuchlike with power to them to demoliſh and raze the Houſes, Caſtles, Towers, and Forts of the prime Rebels of the ſaid Rebellion, whoſe names and houſes are hereafter expreſſed in manner underwritten, viz. The houſes of Auchindoun, Kellie, Geight, Drymmin, Tippertie, Schethin, Leggatſden, Craig of Auchindor, Whitehouſe of Birſe, the Tower of Drum, Cairnburroe, Craighouſe in Roſſe, Buckie, Whitehouſe of Cromar, and Logie, Aboyne, or ſuch like houſes as they ſhall think fitting, unleſſe the owners and friends thereof ſhall finde ſufficient caution, under ſuch great pains as the ſaid Committee ſhall think fit, that the ſaids houſes ſhall not be an receptacle for the enemy againſt the Countrey. And ſuchlike with power to the ſaid Committee, to diſ-arme the whole Rebels, Malignants, and ſuſpect perſons within the Sheriffdomes foreſaids, and to put their Armes in ſome ſure place, to be delivered to the wel-affected, as neceſſity ſhall require, and as the ſaid Committee ſhall think fitting. And for the better execution of the Law againſt the ſaids Delinquents and Rebels; The ſaids Eſtates of Parliament nominates and appoints the ſaid Committee of Eſtates, to be Juſtices in that part by commiſſion, within the whole bounds above-mentioned; Giving to them full power to ſet, affix, affirme, hold, and continue Juſtice Courts within whatſoever parts of the ſaids bounds als oft as need be, Treſpaſſers and Male-

factors to puniſh according to the nature of their crimes and tranſgreſſions, either by death, or by fining, confining, or ſuch other inferiour cenſure, as they ſhall think expedient for the good of the ſaid ſervice; Or if they ſhall think meet, to remit the Criminals, or perſons criminally guilty, to the Eſtates of Parliament or their Committees at Edinburgh, or to the Juſtice Generall and Juſtice Deputes; or otherwiſe to diſpoſe of the ſaids Rebels, Malignants, and Delinquents, as they ſhall think meet, or as they may beſt do with conveniencie, affiſes of perſons leaſt ſuſpect, to cauſe be lawfully ſummoned, elected, and ſworne, and to miniſter Juſtice untill the finall end thereof. And generally with power to them, to doe every thing for the better ſuppreſſing of the Rebellion in the North, purſuing the actors therein, their affiſters, reſetters, and all other declared enemies to the Kingdome, and exterminion of them, and for ſecuring the peace of theſe bounds in time-coming, for providing of Victuall and Money for our Armies, and for doing every thing they ſhall finde conducing to the ſervice and furtherance of this Cauſe, wherein this Kirk and Kingdome are ingaged, als fully and freely as the Eſtates of Parliament or Convention of Eſtates might do themſelves; they being alwayes comptable for their proceedings to the Parliament, Convention of Eſtates, or their Committees reſpective. Commanding hereby all Officers, Souldiers, Committees of Warre, and others his Majeſties Subjects to Burgh and Land, of what eſtate and quality ſoever they be of, To reverence, acknowledge, and obey the ſaid Committee and their orders, and to do nothing to the hinder and prejudice thereof, as they will be anſwerable: And this Commiſſion is to endure untill the next Seſſion of Parliament. And to the effect the Decreets, Acts, Orders, and Determinations of the ſaid Committee, may receive the more ready and reall execution; The Eſtates ordains generall Letters of Horning and Arreſtment, to be raiſed and ſigned here at Edinburgh, and delivered preſently to the Clerk of this Committee. And ordains Meſſengers of Arms to put theſe Letters to execution, upon precept or warrant from the ſaid Committee, ſubſcribed by the Preſident thereof, according as ſhall be appointed by the ſaid Committee, and conforme to the ſaids warrants and precepts to bee given to them, and for obedience and fulfilling thereof, or payment of the ſums reſpective, to be contained in the ſamine precepts and warrants.

XX JULII.

ACT and Ratification in favours of the Natives, anent the Coale.

FORSAMEIKLE as the Lords of Privie Councell, by their Act and Decreet given the nineteenth of October 1643, in favours of the free Royall Burrows, againſt all and whole the Heritors of the Coal-heughes, on both ſides of the water of Forth, and others within this Kingdome, by vertue of their former Act, dated in December 1620. As alſo by another Act dated in April thereafter: As likewiſe by their other Act, dated the 29. November the ſaid year, 1621. The ſaids Lords did ordain every one of the ſaids Heritours, and Maſters of Coal-heughs, To ſell their Coales at the prices and meaſure reſpectivè therein contained: And did ordain and command the whole Coal-maſters of this Kingdome, to preferre Natives coming to them for Coal, to whatſomever Strangers: and not to poſtpone or delay them upon whatſomever pretext, colour, or bargain made with the ſaids Strangers, and to ſerve them at the prices and meaſures contained in the ſamine Decreet, under the pain of an hundred pounds, to be payed to the partie wronged, either by heighting the prices, altering the meaſure, or delaying and poſtponing them to Strangers: And that by the contraveeners toties quoties, conforme to the ſaid Act of Councell, and Proclamation thereof on the 29. of November 1621. And farther under the pain to be altogether reſtrained from tranſporting any Coal at all, and alſo cenſured in their perſons & goods, at the arbitriment of the ſaids Lords of Councel, as the ſaid Act and decreet of the date foreſaid at more length bears. Likeas the ſaids Lords by an other Decreet given and pronounced by them the 9. November 1643. in favours of the Commiſsioners of the Royall Burrows, againſt divers of the ſaids Heritors on both ſides of the ſaid water of Forth, they did ordain them to ſell their Coal at the prices and meaſure reſpectivè therein contained: And that the ſamine prices and meaſures ſhould ſtand onely to Whitſunday now laſt bypaſt, and aye and while the ſaids Lords of Councell took farther order thereanent, and the Burrowes to be warned anent the ſamine: and that under the pain of the foreſaid an hundred pounds, and abſolute diſcharge of tranſportation of Coal at all, as the ſaid Decreet of the date foreſaid at more length proports. As alſo the ſaids Lords of Privie Councell, by their other Decreet, given on the ſaid 9. November 1643. in favours of the ſaids Commiſsioners of the free Royall Burrowes, againſt divers and ſundry Heritors, and Maſters of Coal-heughes within the Sheriffdomes of Lowthian, & Stirling, diſcharge the ſaids Heritors and Coal-maſters, to ſell any of their Coale to be tranſported out of the Kingdome, under the paines contained in the Acts of Parliament; But to ſell their Coales to Natives, at the prices and meaſure formerly received by them thir ſeven yeares bygone, for the reaſons and cauſes therein contained, as the ſaid Decreet of the date foreſaid at more length beares. Which Acts and Decreets being ſeen and conſidered by the ſaids three Eſtates preſently conveened in Parliament, and underſtanding that the ſaids Acts and Ordinances has not taken

ſufficient effect; ſo that the Natives of this Countrey doth as yet greatumly ſuffer in default of the ſaids Coal-maſters; Therefore the ſaids Eſtates ratifies and approves the foreſaids three Acts and Decreets of the ſaids Lords of Privie Councell, in the whole Heads, Articles and Clauſes thereof, and interpones their authority thereto; and ordaines the ſamine to ſtand and bee obeyed by the ſaids Coal-maſters, their Coal-grieves, and Coalyars, under the paines therein contained, aye and while the Lords of Secret Councel, or Committee of Eſtates take farther order thereanent: The Coal-maſters and Burrows being lawfully warned for that effect. And becauſe the foreſaids Acts of Councell would appear to bee conceived onely in favours of Burghes Royall, at whoſe inſtance the ſaids Coal-maſters were cited, albeit the whole Natives and In-dwellers within this Kingdom, has the like reaſon of complaint and exigence of Coal; Therefore the Eſtates of this preſent Parliament, ſtatutes and ordaines the whole Coal-maſters within this Kingdome, to readily anſwer and obey all the Natives of this Kingdome, as they, their Coal-grieves, or Coalyars ſhall be deſired from time to time; not onely with great burning-Coales for uſe of their Houſes and brewing, but alſo with ſmall Coales, for burning of Lyme, ſerving of their Smiddies, or any other uſe needfull; and that at ſuch prices, and with ſuch meaſure as the ſaids Coal-maſters, Coalgrieves, and Coalyars has been in uſe to ſell the ſamine theſe ſeven years bygone: And that the ſaids Natives bee preferred to any Stranger or Forreiner from time to time, as the ſaids Natives from Land or Burgh ſhall deſire themſelves to bee furniſhed with Coales, for the uſe within this Kingdome, under the paines and penalties contained in the ſaids Acts of Councell made anent Coales, and alſo under the paine of forfeiting of their Liberty of ſelling or tranſporting at any time thereafter of their Coales by Sea, after they ſhall be found to have refuſed any of the Native Subjects of this Kingdome, deſiring to be ſerved with Coales, for their owne, or others of his Majeſties Lieges their uſe within this Kingdom, in manner as ſaid is. And for the better execution of the ſaids Acts, The Eſtates of this preſent Parliament grants and gives full power and Commiſſion to George Dundas of that Ilk, William Drummond of Riccartoun, Sir Robert Drummond of Meidop, Maſter George Dundas of Mainer, and George Bell Proveſt of Linlithgow, to put the foreſaids Acts to execution, for the bounds be-Weſt the Queens-Ferry, up to Stirling, upon the South-ſide of the water of Forth. And to Sir Wauchope of Nidrie Knight, Maſter George Winrahame of Libbertoun, Maſter John Cant of Comerſtoun, Maſter Samuel Johnſtoun of Sheines, and Edward Edgar Burgeſſe of Edinburgh, to put the ſamine Acts to execution for the whole bounds of the Sheriffdome of Edinburgh principall, and to Sir Patrick Hepburne of Wauchtoun, Patrick Cockburne of Clerkingtoun, Maſter John Hepburne of Smeitoun, Patrick Inglis of Elvingſtoun, and John Cockburne Proveſt of Hadingtoun, to put the foreſaids Acts to execution, for the bounds of Eaſt-Lowthian. Item, to William Monteith of Randiefurd, Thomas Bruce Proveſt of Stirling, Sir John Erskein of Balgonie, Robert Dempſter of Babowgie, and James Reid Proveſt of Dumfermeling, to put the ſaids Acts to execution for the North ſide of Forth be-Weſt the Queenes-Ferry. Item, to Sir Michael Balfoure of Deanmylne, Maſter Aytoun of Inchederny, Maſter James Schonar of Caskieberrian, George Gairne Burgeſſe of Bruntiland, James Law Burgeſſe of Kirkaldie, Sir Andro Skein of Halyards, and Maſter Robert Cuninghame in Kinghorne, to put the ſaids Acts to execution for the bounds of the Northſide of the water of Forth, be-Eaſt the Queenes-Ferry, to the Coal-heugh of Durie inclusivè. And to Sir James Monypenny of Pitmille, George Hay of Nauchtoun, John Beatoun of Balfoure, and James Lentroun Burgeſſe of S. Andrewes, and George Jamiſon Proveſt of Cowpar, to put the ſaids Acts to execution for the whole remanent bounds on the North ſide of Forth, be-Eaſt the Coal-heugh of Durie. And the Eſtates ordaines the fore-named perſons above-named, or any two of them, as ane Quorum, within every one of the ſeverall bounds reſpectivè above-deſigned, committed to them, as ſaid is, to uſe their beſt diligence for putting of this preſent Act, and of the Acts abovementioned hereby ratified, to due and timeous execution; and that every Coal-maſter bear their own proportion for ſerving the Natives, conforme to the ſaids Acts. And for this effect ordaines one of the Commiſſioners for ilke ane of the ſeverall bounds above-ſpecified, to viſit every week once, the whole Harberies within the bounds reſpectivè foreſaids aſſigned to them, and to cauſe the Natives be readily ſerved, conforme to the foreſaids Acts. With power alſo to the ſaids Commiſſioners, and their Quorum foreſaid, to appoint their diets and places of meetings within their bounds reſpectivè before rehearſed, as they ſhall think fit, for the better and more exact putting to execution of the ſaids Acts and Ordinance hereof. And upon the complaint of any party grieved, to conveene the ſaids Coal-maſters, Coal-grieves, and Coalyars before them, or their Quorum within their ſeverall bounds, and after tryall, to inflict and up-lift from the perſons found guilty, all ſuch unlawes, penalties, and Fines, as are appointed by the foreſaids Acts, to bee incurred by theſe who tranſgreſſe the ſamine, to be applyed for the uſe of the complainers, provers of their complaints, whereupon the ſaids unlawes and penalties are to be exacted. And the Eſtates declares the ſaids Coal-maſters, Coal-grieves, and Coalyars, to be ſubject and lyable to the juriſdiction and ſentence of the foreſaids Commiſſioners, or their Quorum, within the feverall bounds reſpectivè above-ſpecified, and to the execution of the ſamine

ſentence, ſua far as concernes the putting of the foreſaids Acts of Secret Councell, with this preſent Act of ratification thereof, and Commiſſion above-ſpecified, with the power hereby granted, to due and exact execution, to the effect before rehearſed. And ordains Letters, and all execution needfull, to bee direct for charging the ſaids Commiſſioners, and ilke ane of them, to accept this Commiſſion for the ſeverall bounds before-deſigned, and to do their exact diligence in putting of the ſamine to execution, in manner before preſcribed, as they will bee anſwerable to the Parliament, Convention of Eſtates, or their Committees; and to be cenſured as the ſaids Eſtates of Parliament, Convention of Eſtates, or their Committees ſhall finde their faults, over-ſights, and ſlackneſſe to deſerve cenſure. As alſo ordaines Letters, and all other execution needfull, to paſſe and be direct upon all ſentences, to be pronounced by the ſaids Commiſſioners, or their Quorum, in form as effeirs.

XXII JULII.

DECLARATION and Act anent the Duke of Hammiltoun his impriſonment.

36 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Taking to their Conſideration the Fundamentall Laws, Liberties, and Independencie of this Kingdome, and the practice of former times, which doth require, That all Natives and Inhabitants accuſed for committing crimes in this Kingdome, or againſt the King or Kingdome, ſhould be tryed and judged in a legall way by the ordinary Judicatories of this Land: And conſidering the preſent impriſonment of James Duke of Hammiltoun, a Native and Eminent Peere of this Kingdome, and his ſo long reſtraint, upon pretence of Crimes alledged to have been committed by him in this Kingdome, or againſt the Kings Majeſtie, or the Kingdome, without the leaſt ſignification or intimation to the Kingdome, or Judicatories thereof: They cannot ſo farre forget the Publick intereſt, and juſt libertie of the Subjects (which they are obliged to maintaine) as not to be ſenſible of the wrong done to his Majeſties honour and this Nation thereby in its freedome and priviledges. And likewayes conſidering the dangerous preparative to them and their poſterity, which may enſue thereupon if they ſhould paſſe this over in ſilence: Therefore the ſaids Eſtates of Parliament do declare, That if his Majeſtie be informed of any ſuch Challenge againſt the ſaid Duke, as deſerves that hee ſhould be put to tryall, that he ought to be returned to this Kingdome here to abide his tryall, according to Law and Juſtice: And if there bee any Crimes alledged againſt him, for which he is anſwerable as a Peer of England; That he be there tryed in a Parliamentarie way, according to the Laws of that Kingdome. Otherwayes they are confident, That his Majeſtie wil, upon better conſideration, be graciouſly pleaſed, according to his accuſtomed Juſtice, to cauſe the ſaid Duke forthwith to be ſet at liberty, and thereby preſerve the Liberties of this Kingdome; As he hes done to others whoſe perſons upon ſiniſter informations hath formerly been reſtrained. But if the evil counſels of ſuch as are enemies to his Majeſties honour, and the publick libertie of this his Majeſties ancient and Native Kingdom ſhall ſo far prevail, as that the perſon of the ſaid Duke be detained any longer, or he proceeded againſt forth of this Kingdome of Scotland: The Eſtates of Parliament declares, The juſt priviledges of this Kingdome, and freedome and liberty of the Subject, to be thereby infringed and violate, and all courſes and proceedour to the contrary hereof, to be unwarrantable and illegall; and that this Kingdome will reſent the ſame as a National wrong. And withall, declares all ſuch perſons of this Kingdome, as by their actions, counſels, plots, advice, or aſſiſtance, are, or ſhall be any wayes acceſſorie thereto, or any ſuch impriſonment, reſtraint, and detention of any Peer or free born Subject of this Kingdome, without re-manding them to abide the tryall in the lawfull Judicatories of this Kingdome, To be enemies to the Kings Honour, the lawfull priviledges of this Kingdome, and the juſt liberty of the Subject, and that they ſhall be puniſhed accordingly: And if they be Natives of the Kingdome of England, they will earneſtly deſire the Honourable Court of Parliament there to doe Juſtice upon them, as they will be ready in the like caſes to render to the Subjects of that Kingdome.

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ACT in favours of the Earle of Lanerk againſt Sir James Galloway, and Sir Robert Spottiſwode. 37

.....

ACT in favours of the old Colledge of Saint Andrews, for ane Regent of humanity. 38

.....

XXIII JULII.

ACT anent the Ratification of the Articles of Treatie concerning the ordering of the Warre in Ireland.

FORSAMEIKLE as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the 39

three Eſtates in An. 1641. Having read, heard, and conſidered the Articles of the Treatie concerning the reducing of the Kingdome of Ireland to the obedience of the Kings Majeſtie and Crowne of England, agreed upon betwixt the Commiſſioners for Scotland authorized by his Majeſtie and the Parliament of that Kingdome, and the Commiſſioners for England authorized by his Majeſtie and the Parliament of England; Together alſo with the Votes of both Houſes of the Parliament of England paſt upon the foreſaids Articles, and agreeing thereunto upon the eleventh of July 1642. The ſaids Eſtates of Parliament of Scotland ratifies and approves the foreſaids Articles of the Treatie abovementioned, and does hereby agree and aſſent thereto, and to the Votes of both Houſes of Parliament of England paſt thereupon, and holds the ſame as ingroſt and inſert heirintill; And ordaines the ſaids Articles of the Treatie, and the Votes of both Houſes of Parliament of England, to be recorded and regiſtrate with this preſent Act in the Bookes and Records of Parliament: Whereof the tenor followes.

ARTICLES of the Treatie concerning the reducing of the Kingdome of Ireland to the obedience of the Kings Majeſtie and Crowne of England, agreed upon betwixt the Commiſsioners for Scotland authorized by his Majeſtie and the Parliament of that Kingdome, and the Commiſsioners for England authorized by his Majeſtie and the Parliament of that Kingdome at Weſtminſter.

I. THE Scottiſh Commiſſioners out of the ſence of that duty which the Kingdome of Scotland owes to his Majeſtie, and the true affection they beare towards the Kingdome of England, being willing to contribute their beſt aſſiſtance for the ſpeedie reliefe of thoſe diſtreſſed parts in Ireland which lye neareſt to the Kingdome of Scotland, Have in the name of that Kingdome made offer of Ten thouſand men to be imployed in that Service: And for a further teſtimony of their zeal to his Majeſties Service, and brotherly reſpect to the Kingdome of England, Have declared that the Kingdome of Scotland will upon their owne charge Leavie and tranſport theſe men.

II. BECAUSE the Kingdome of Scotland are to ſend over with their Armie the number of Six thouſand Muskets, and Foure thouſand Picks, with ſuch Cannon and Ammunition as ſhall be fitting for the Service, It is agreed, that Four thouſand Muskets and Two thouſand Pickes ſhall be preſently ſent by the Kingdome of England into the Kingdome of Scotland, and delivered at Leith: As alſo that the reſidue of the ſaids Ten thouſand Arms, and Ten thouſand Swords and Belts ſhall be delivered there at the firſt of Auguſt next; and that als many Cannon and Field-Peeces of the ſame Bore, Weight, and Mettle, ſhall be carried into Scotland, upon their demand, as they ſhall tranſport into Ireland for the Service of that Kingdome: And that the ſaids whole Arms and Ammunition ſhall remain in Scotland, untill the returne of the Scottiſh Armie from Ireland, at which time the ſamine ſhall be reſtored to the Kingdome of England, the Kingdome of Scotland receiving ſatisfaction for ſuch of their Armes and Ammunition as ſhall be ſpent or loſt in the Service of Ireland: As alſo that there ſhall be preſently ſent over from England and delivered to the Scottiſh Armie in Ireland, for the defence of the Province of Ulſter, Six Peeces of Demi-Cannon of the Ball of Foure and twenty pound weight with their equipage.

III. IT is agreed, That there ſhall be two Ships of Warre preſently ſent by the Kingdome of England to Lochryan, Lamalaſh, Port-Patrick, or Air, to guard and waught over the Scottiſh Souldiers; And that the ſaid Ships ſhall attend at the Ports in Ireland for ſerving the Scottiſh Armie in going and returning betwixt the Coaſts, and keeping the Paſſages cleare, as they ſhall receive orders from the chiefe Commanders of the Scottiſh Armie for the time being, according to Inſtructions received or to be received by the Maſters of theſe Ships, from the Lord Admirall, or Commiſſioners of the Admiralty for the time being to that purpoſe.

IV. IT is agreed, That there ſhall be leavied and furniſhed by the Kingdome of England Ten Troops of ſufficient and well-armed Horſe-men, conſiſting of Sixtie in a Troope, beſides the Officers: and that there ſhall be a Commiſſary Generall, a Serjeant-Major, and a Quarter-Maſter appointed over them, which ſhall joyne and remain with the Bodie of the Scottiſh Foot, and ſhall receive and obey the Orders and Inſtructions of the Commanders of the Scottiſh Armie: and that there ſhall be preſently advanced the ſumme of Twelve hundred pound ſterline for the leavying of a Troop of an Hundred Horſemen in Scotland, beſides the Officers to be a guard to the Generall of the Scottiſh Armie.

V. IT is agreed, That the Commanders and Souldiers of the Scottiſh Armie ſhall have ſuch pay reſpectively as the Commanders and Souldiers of the Engliſh Armie have, according to ane Liſt preſently agreed upon by the Commiſſioners of both Kingdomes: as alſo that the Officers of that Armie ſhall have ſuch allowance for their Waggons as is contained in the ſaid Liſt.

VI. IT is agreed, That the Townes and Caſtle of Carrickfergus and Colrayne ſhall be put into the hands of the Scottiſh Armie, to be places for their

Magaziens and Garrifons, and to ſerve them for Retreat upon occaſions; and that the Magiſtrates and Inhabitants thereof ſhall be ordained to carry themſelves to the Commanders of the ſaid Armie as is fitting and ordinary in ſuch caſes: and that the ſaids Townes and Caſtle ſhall remaine in the Scots hands untill the War ſhall end, or that they ſhall be diſcharged of that Service. Likeas the Commiſſioners for the Kingdome of Scotland do promiſe, in the publike Faith of that Kingdome, to re-deliver the ſaids Townes and Caſtle to any having Commiſſion from the King and Parliament of England. As alſo the Commiſſioners for the Kingdome of England do promiſe, in the name and on the publike Faith of that Kingdome, That payment ſhall be made to the Kingdome of Scotland and their Armie, of all dues that ſhall ariſe upon this preſent Treatie: And that when the Scottiſh Armie imployed in the Service of Ireland ſhall be diſcharged, They ſhall be disbanded by Regiments, and no leſſer proportions, and ſo many of them payed off as ſhall be disbanded: and the reſidue kept in pay till they be disbanded.

VII. IT is agreed, That the Townes of Carrickfergus and Colrayne, ſhall by the Kingdome of England be, with all expedition, provided with Victuals neceſſary for Souldiers, either in Garriſons or Expeditions, according to ane Liſt to be agreed on and ſubſcribed by the Commiſſioners of both Kingdomes: And that ſuch quantities thereof as the Scottiſh Armie ſhall have occaſion to uſe, ſhall be ſold unto them, and bought by them at the ſeverall prices contained in the aforeſaid Liſt. And alſo that the ſaids Townes of Carrickfergus and Colrayne ſhall be provided by the Kingdome of England, with Powder, Ball, Match, and other Ammunition, for the Service of the ſaid Armie, conform to the particular Liſt to be condiſcended unto by both Commiſſioners: and that Carts and Waggons ſhall be provided by the Kingdom of England for carrying of Ammunition, for the uſe of the ſaid Armie in Marches: as alſo, that there ſhall be Gun-Smithes, Carpenters, and one or two Engineers appointed to attend the Armie; and that hand-Milnes ſhall be provided to ſerve the Companies in Marches.

VIII. IT is agreed, That the Kingdome of England, ſhall depoſite Two thouſand pounds Engliſh Money, in the hands of any, to be appointed by the Scottiſh Commiſſioners, to be deburſed upon accompt by warrant of the Generall of their Armie, upon Fortifications, Intelligences, and other Incidents; So that there bee not above the ſumme of Two thouſand pound in a yeare impreſted upon theſe occaſions, without particular and ſpeciall warrant from the Parliament of England. As alſo, that there ſhall be depoſited Two thouſand and five hundreth pound Engliſh to be disburſed upon accompt, for the providing of Ane thouſand Horſe, for the carrying of the Artillerie, the Baggage, and Victuall of their Army, and for Dragooners upon occaſion. And likewiſe, that the Scottiſh Army, during the time of the Warre, ſhall have power to take up ſuch Horſes in the Countrey, as be neceſſary for the uſes aforeſaids.

IX. IT is agreed, That the Inhabitants of the Towns and Villages of the Province of Ulſter, and in any other Province of Ireland, where the Scottiſh Army ſhall be by it ſelf for the time, ſhall receive orders from the Scottiſh Commanders, and ſhall bring in Victuals for money in an orderly way, as ſhall be directed by them, with proviſion of Oates, Hay, and Straw, and ſuch others neceſſars; And that the Countrey People ſhall riſe and concurre with the Scottiſh Troupes, when the Commanders thereof ſhall finde it for the good of the Service, and ſhall receive orders and directions from the ſaids Commanders of the Scottiſh Army.

X. IT is agreed, That the ſaid Ten thouſand men, to be ſent out of the Kingdome of Scotland, ſhall goe in the way and order of an Army under their owne Generall, and ſubalterne Officers; And the Province of Ulſter is appointed unto them, wherein they ſhall firſt proſecute the Warre, as in their judgement they ſhall think moſt expedient for the honour of the King, and Crowne of England: And that the Commanders of the ſaid Army ſhall have power to give Conditions to Townes, Caſtles, and Perſons, which ſhall render and ſubmit themſelves, as ſhall be moſt expedient for the ſervice, according to the courſe of Warre; Provided no toleration of the Popiſh Religion be granted, nor any condition made touching or concerning any of the Rebels Lands; And that the Commanders of the Scottiſh Army ſhall be anſwerable for their whole deportment and proceedings to his Majeſtie and the two Houſes of the Parliament of England onely, but ſhall from time to time give an account thereof to his Majeſtie, the two Houſes of the Parliament of England, and to the chief Governour or Governours of Ireland for the time being. That ſuch Townes and Places as ſhall be recovered from the Rebels by the Scottiſh Army, ſhall be at the diſpoſing of the Commanders thereof, during their abode for that Service in thoſe parts where ſuch Townes and Places are. And if it ſhall be found for the good of the Service, that the Scottiſh Army ſhall joyne with the Kings Lieutenant of Ireland, and his Army; In that caſe the Generall of the Scottiſh Army ſhall onely cede to the Kings Lieutenant of Ireland, and receive in a free and honourable way Inſtructions from him, or in his abſence from the Lord Deputy, or any other who ſhall have the chiefe Government of that Kingdome for the time, by authority derived from the Crowne of England, and ſhall precede all others; And that

he onely ſhall give Orders to the Officers of his owne Army; And that the Armies ſhall have the Right and Left Hand, Vanne and Reare, Charge and Retreat ſucceſſively, and ſhall not mixe in Quarterings nor Marchings. And when it ſhall be found fit to ſend Troups out of either Army, that the Perſons to be ſent out of the Scottiſh Army, ſhall be commanded out by their owne Generall, the Lieutenant of Ireland preſcribing the number, which ſhall not exceed the fourth part of the whole Foot of the Scottiſh Army, nor of the Horſe appointed to joyne therewith, whereunto they ſhall returne when the Service is done; And that no Officer of the Scottiſh Army ſhall be commanded by one of his own qualitie; And if the Commanders of the Troups ſo ſent out of either Army be of one quality, that they command the Party by turnes. And it is nevertheleſſe provided, That the whole Scottiſh Army may be called out of the Province of Ulſter, and the Horſes appointed to joyne with them, by his Majeſties Lieutenant of Ireland, or other chiefe Governour or Governours of that Kingdome for the time being, if he or they ſhall think fit, before the Rebellion be totally ſuppreſſed therein.

XI. IT is agreed, That the Scottiſh Army ſhall be entertained by the Engliſh for three moneths, from the twentieth of June laſt, and ſo long after untill they bee diſcharged: And that they ſhall have a moneths pay advanced when they are firſt muſtered in Ireland, and thereafter ſhall bee duely payed from Moneth to Moneth; and that there ſhall be a Muſter-maſter appointed by the Engliſh Muſter-maſter Generall to make ſtrict and frequent Muſters of the Scottiſh Army; And that what Companies of men ſhall bee ſent out of Scotland within the compaſſe of the Ten thouſand men, ſhall be payed upon their Muſters in Ireland, although they make not up complete Regiments.

XII. IT is agreed, That the Scottiſh Army ſhall receive their diſcharge from the King and Parliament of England, or from ſuch perſons as ſhall be appointed and authorized by his Majeſtie and both Houſes of Parliament for that purpoſe; and that there ſhall bee a Moneths warning before-hand of their diſ-banding, which ſaid diſcharge and Moneths warning ſhall be made knowne by his Majeſtie and them to the Councell of Scotland, or the Lord Chancellour, a Moneth before the diſcharging thereof; And that the common Souldiers of the Scottiſh Army at their diſmiſſion ſhall be allowed Fouretene dayes pay for carrying of them home.

XIII. IT is provided and agreed, That at any time after the three Moneths now agreed upon for the entertainment of the Scottiſh Army ſhall be expired, and that the two Houſes of Parliament, or ſuch Perſons as ſhall be authorized by them, ſhall give notice to the Councell of Scotland, or to the Lord Chancellour there, that after one Moneth from ſuch notice given, the ſaid two Houſes of Parliament will not pay the ſaid Scottiſh Army, now in Ireland, any longer; then the ſaid two Houſes of Parliament ſhall not be obliged to pay the ſaid Army any longer then during the ſaid Moneth: Any thing in this Treaty contained to the contrary notwithſtanding.

Jo. Browne Cler. Parl. H. Elſynge Cler. Parl. D. Com.

Die Iovis 7. Iulii 1642.

THE ingroſſed Articles of the Scottiſh Treatie were this day read, and by Vote upon the Queſtion aſſented unto, and Ordered to be ſent up unto the Lords by Sir William Armin, who went accordingly with the ſame.

H. Elſynge Cler. Parl. D. Com.

Die Iovis 7. Iulii 1642.

ORDERED by the Lords in Parliament, That this Houſe agrees with the Houſe of Commons in this Reſult of the Treatie ingroſſed, concerning the ſending of the Ten thouſand Scots into Ireland.

Jo. Browne. Cler. Parl.

COMMISSION for the Theſaurarie, to the Earle of Lindeſay.

THE Eſtates of Parliament now preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in Anno 1641. Taking to their conſideration, that in the laſt Parliament there was ane Commiſſion granted for the Theſaurarie to Five, his Majeſtie for that time not being reſolved upon the nomination of any particular perſon, to endure to the next enſuing Parliament, and that the ſaid Commiſſion doth now expire at the beginning of this preſent Parliament, whereby his Majeſties ſervice, and the good of the Lieges would be greatly prejudiced, if the ſaid Office and Place of Theſaurarie were not filled: And therewith alſo conſidering, that it is more advantageous for his Majeſties ſervice, and the good of the Subjects, that one Perſon ſhould exerce the ſaid place, then many: And having good proof and aſſurance of the merit, ability, and ſufficiencie of John Earle of Lindeſay, &c. one of the five formerly nominate by his Majeſtie for that place: Therefore the ſaids Eſtates of Parliament makes and conſtitutes the ſaid John Earle of Lindeſay Commiſſioner for the Theſaurarie, Controllorie, Collectorie, and Theſaurarie of his Majeſties new augmentations within this Kingdome; Giving and granting to him all Liberties, Priviledges, Immunities, Benefits, and Emoluments whatſoever, pertaining to the ſaid Place of High Theſaurer, Comptroller, Collector,

and Theſaurer of his Majeſties new augmentations, in als ample maner and quality as the ſamine was in the perſon of any of his Majeſties High Theſaurers in any time of before: With power to him to up-lift, gather, and intromet with all and ſundrie his Majeſties Rents, Revenues, Cuſtomes, Impoſts, Caſualities, Commodities, Duties, and others whatſoever any wayes belonging to his Majeſtie within this Kingdome, or to his Majeſties deareſt ſon the Prince, and that of all yeares and tearmes bygone, unpayed to former Theſaurer or Commiſſioners, and yearly in time coming, during the time of this preſent Commiſsion: With power to him, with advice of the Commiſsioners of Exchequer, and Quorum thereof, conforme to the tenour of the ſame, To compone, paſſe, and ſubſcribe Signators, Gifts, Confirmations, Eſcheits, Life-rents, Remiſsions, Tutories, Gifts by forfeiture, Recognition, Wards, Marriages, Relief, Non-entreſſes, Legitimations, Preſentations, Taks, Rentalls, Licences, Diſpenſations, & others Diſpoſitions, Writs, & Securities whatſoever pertaining to the ſaids Offices, or any of them, or to the power and priviledges thereof; But prejudice alwayes to Sir James Carmichael of that Ilk, Knight, Theſaurer Depute, of his Gifts of his Office foreſaid, and whole Liberties, Power, and Priviledges belonging to the ſame, which are holden as herein expreſt, & without adding or pairing thereanent. And ordaines the Lords of his Majeſties Privie Councel, Seſsion, or Exchequer, To grant and direct Letters at the inſtance of the ſaid John Earle of Lindeſay, Commiſsioner foreſaid, for anſwering and obeying him, his Chamberlaines, under-Receivers, and Officers of all and ſundry his Majeſties Rents, Caſualities, Cuſtomes, Impoſts, and Duties whatſomever belonging to the ſaid Office; and that enduring the time of this preſent Commiſsion, which is to endure untill the next Trienniall Parliament, or longer, incaſe it ſhall pleaſe his Majeſtie and Eſtates of Parliament to continue the ſame; But prejudice alwayes to the ſaid Sir James Carmichael, Theſaurer Depute, of his gifts of his Office foreſaid, and whole Liberties, Power, and Priviledges belonging to the ſame, which are holden as herein expreſt, and without adding or pairing thereanent, as ſaid is.

ACT diſcharging Execution of Captions for debt upon the Lords Day, or upon Faſts, &c. Commanding Warnings, &c. to bee read after the bleſsing, and extending the Acts made againſt profanation of the Sabbath.

THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. For the better obſervation of the Lords Day, and of other dayes ſet apart for his ſolemne worſhip, diſcharges all execution of Letters of Caption, raiſed for civill debts, in any time of the Lords Day, or upon ordinary week dayes, appointed for ſolemne Faſts or Thankſgivings, during the time of divine ſervice: And ſuchlike diſcharges all Warnings, Inhibitions, Requiſitions, or other Letters to be read at the Kirk doore before the firſt Sermon; and ordanes the ſame to be read hereafter, immediatly after the Miniſter hath concluded the Exerciſe, and ſaid the Bleſsing, whereby the Congregation at the diſſolving, may more commodiouſly heare, and the worſhip of God will not be interrupted. And als declares, That all Acts made againſt Salmond-fiſhing, or any other labour on the Lords Day, to be not only againſt Servants, who do actually work, but alſo the ſamine ſhall be extended againſt Maſters, whoſe hired Servants they are, if the Servants working be either of the Maſters knowledge, or with their approbation or connivence. And farther, the Eſtates doe hereby declare and ordaine, That all Acts of Parliament made againſt profanation of the Lords Day, be extended to ordinary week dayes, appointed for ſolemne Faſts and Thankſgivings, during the time of divine ſervice upon the ſamine.

ACT anent Divorce for Adultery.

FORSAMEIKLE as the Eſtates preſently con- 42
veened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in Anno 1641. Conſidering that ſentence of Divorcement cannot be obtained before the Commiſſars, except upon probation of the Fact of Adultery, per teſtes ſcientes & videntes, which kinde of probation is in ſome caſes impoſſible, whereby many innocent parties ſuffer great prejudice. Therefore the ſaids Eſtates of Parliament declares, That in all times hereafter, ſentences of Divorce ſhall be given upon probation of the fact of Adulterie by witneſſes, in maner foreſaid; Or upon probation of Bigamie, or upon probation that Bairns ane or moe are procreate in Adultery, or upon probation that perſons under ſcandall of Adultery keep frequent company and bed together. And ordains that in any of theſe caſes, ſentences of Divorce be pronounced in favours of the Innocent Partie complainer in all time-coming.

ACT inhibiting Markets upon Munday and Saturday.

FORSAMEIKLE as the Eſtates of Parliament 43
preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in Anno 1641. Conſidering that the profanation of the Lords Day, is not onely occaſioned by keeping Markets in the Townes of Edinburgh, Jedburgh, Dumfreis, Brechin, and Glaſgow upon Munday: But alſo by the keeping weekly

Markets, both that day, and upon Saturday, in many other parts of this Kingdome: Therefore the ſaids Eſtates of Parliament, diſcharges any weekly Markets to be keeped within any Burgh of this Kingdome hereafter upon Munday or Saturday, and that under the pain of 100. Merks, to be payed by the Burgh contraveening toties quoties. And ordains every Burgh that hath not already changed the ſaids Markets dayes, to appoint ſuch other dayes of the week for keeping their weekly Markets, as themſelves ſhall finde moſt convenient; and after they have condiſcended upon the ſame, that publick intimation be made thereof at the ſeverall Market Croſſes of the next adjacent Burrows and their own, that the ſamine may come to the knowledge of the Kings Lieges. And in reſpect of the change already made, by vertue of an Act of Parliament in the year 1640. in the Burghs of Edinburgh, Jedburgh, Dumfreis, Brechin, and Glaſgow: The ſaids Eſtates do approve the ſaid Act; and ordains, that all Markets which before were weekly kept in the ſaid Burghs upon Munday, to bee kept in Edinburgh, Dumfreis, Brechin, and Glaſgow, upon Wedneſday; and in Jedburgh upon Tueſday, in all time coming.

ACT diſcharging Patronages belonging to particular Miniſters.

44 FORSAMEIKLE as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering that ſundry Miniſters within this Kirk and Kingdome, pretending by vertue of a title to a benefice, the right of Patronage to ſome particular Kirks, which in the times of Popery were parts or pendicles of theſe benefices, and are yet in uſe of preſentation, which is found by the Kirk to bee no wayes competent to any one Miniſter, but that the providing of theſe Kirks belongs to Preſbyteries. Therefore the ſaids Eſtates of Parliament, declares any ſuch pretended Titles or Rights of Patronages, to be null, and of no effect in all time coming: And that Preſbyteries in their ſeverall juriſdictions, have the onely power of planting and providing theſe Kirks proprio jure in all time hereafter; But prejudice of the intereſt of the Paroches, according to the Acts and Practices of the Kirk ſince the Reformation.

ACT againſt keepers of Taverns, &c. and ſellers of Drink on the Lords Day.

45 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering that the great abuſe of Drunkenneſſe doth ſtill continue and increaſe, notwithſtanding of the 20. Act of the 22. Parliament of King James 6. of good memory, made againſt Drunkards and haunters in Taverns and Ale-houſes after ten hours at night, or at any time of the day, except in time of Travell, or for ordinary refreſhment: Therefore for the better reſtraint of the ſaid vice of Drunkenneſſe, Ratifie and approve the ſaid Act: And further Declare and Ordain, That not onely Drunkards and haunters in Taverns and Ale-houſes, in manner foreſaid, ſhall be liable to the ſaid Act, but that the ſame in the whole Tenor thereof, ſhall hereafter be extended againſt the keepers of Taverns or Ale-houſes, that ſell the Drink unto them.

ACT declaring the Books of Miniſters ſurviving their Wives, not to fall in their Wives Executorie.

THE Eſtates of Parliament preſently conveened, 46
by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Finding Miniſters to be much prejudged that their Books in their own life times ſhould fall in their Wives Executorie: Therefore the ſaids Eſtates Liberates and Exeemes all Miniſters ſurviving their Wives from confirming their Books in their Wives Teſtaments, and from giving up Inventar thereof: And Declares their Books no wayes to fall in the Executorie of their Wives whom they ſurvive.

ACT declaring vacant Stipends ſhould be imployed vpon Pious uſes.

THE Eſtates of Parliament preſently conveened, 47
by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Finding that Stipends and Benefices of Kirks now Vaiking, or which hereafter ſhall Vaike, by deceaſe, depoſition, ſuſpenſion, or tranſportation of Miniſters, or by diſ-union of Kirks, or any other wayes, during the vacancie thereof, ſhould bee employed upon Pious uſes; Doe therefore ordaine all Patrons to employ the ſamin, with advice and conſent of their ſeverall Preſbyteries, upon Pious uſes within the Pariſh of the vaiking Kirk, or otherwiſe within the bounds of the Preſbyterie: With this Declaration onely, that the vacant Benefices or Stipends of Kirkes in the High-lands ſhall bee employed for training up of Youths that have the Iriſh Tongue, in Schooles and Colledges allanerly, and to no other Pious uſe. And it is alſo declared, That the Stipends and Benefices vaiking by deceaſe, doe no wayes comprehend the Benefit which by the Law and Cuſtome of this Kingdome falleth to the relict Bairnes or executors of the Miniſter after his deceaſe, and that they are no wayes prejudged by this Act of any Right or Benefit which formerly they could have enjoyed. And where Preſbyteries

has the power of planting any Kirkes in place of the Patrons thereof, Ordaines theſe Presbyteries, with conſent of the Heritors and Pariſhioners, to imploy the Stipends and Benefices of theſe vacant Kirks, whereof they have the power of planting, as ſaid is, upon Pious uſes, in manner foreſaid.

RATIFICATION of the Act of Convention concerning Preſentations to Kirkes of his Majeſties Patronage.

48 THE Eſtates of Parliament now preſently conveened, by vertew of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Ratifie, approve, and confirme an Act of the late Convention of Eſtates concerning Preſentations to vaiking Kirks of his Majeſties Patronage during the Troubles, of the date the ſixth of January 1644. The tenour whereof followeth.

THE Convention of Eſtates having this day received an Act of the Commiſsion of the Generall Aſſembly for planting of Kirks of his Majeſties Patronage during the time of theſe troubles, preſented unto them by Maſter Robert Douglas Moderator, and Maſter Andrew Ramſay; And having conſidered the ſamin, and the recommendation therein contained for providing ſome way, by authority of this Convention, for ſettling and poſſeſsing the Intrants in the ſtipends and benefits belonging to theſe Kirks; And finding no way ſo fit or that end, and for preſerving the right and poſſeſsion of the patronages to his Majeſtie, then that in this time of trouble Preſentations paſſe his Majeſties Caſhet and Privie Seale; which is alike, And is hereby declared to be of as great force and authority, as if the ſamin had paſt his Majeſties Royall Hands, Therefore gives hereby Warrant and Command to the Commiſsioners of the Theſaurarie, or any one of them, to receive Preſentations from Presbyteries to all Kirks of his Majeſties Patronage vaiking, or which hereafter ſhall vaike, during theſe troubles, and to ſigne the ſamin; And ordains the ſamin ſo ſigned, to paſſe his Majeſties Caſhet, and thereafter the Privie Seale, And that all Letters and Executorials neceſſar be direct thereupon, And recommends to the Commiſsioners of the Kirk to intimate this to Presbyteries, that they making choice of fit and well qualified men by conſent of Pariſhes, the Preſentations unto the vaiking Kirks of his Majeſties Patronage, during theſe troubles, may be paſt in the manner aforeſaid; whereupon the Intrants may obtain all Letters and Executorials neceſſar: Which way the Eſtates thinks agreeable to the deſire and intention of the Commiſsioners of the Aſſembly.

IN all and ſundry Heads, Articles, Clauſes, and Conditions thereof in all points; And declares, That all Preſentations, paſt or to be paſt by vertue thereof, with Collation and Inſtitution, and all Letters and Executorials, Sentences, and all and whatſoever other things following thereupon, have beene, are, and ſhall be good, lawfull, ſufficient, and valid Rights to Miniſters for bruiking, poſſeſſing, and uplifting of their Stipends and Benefits, conforme to the Tenour of the ſaids Preſentations; And ordaines the ſaid Act to have the ſtrength and authority of an Act of Parliament, and that Letters and all Executorials neceſſar be direct thereupon in forme as effeires.

ACT in favours of Miniſters for their Stipends of the Kirk for pecuniall pains, and in favours of Vniverſities, Hoſpitals, and Schooles, anent Malignants Rents.

THE Eſtates of Parliament preſently conveened, 49
by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in Anno 1641. Findes and declares, That no ſentence of Forfeiture, or other ſentences whatſoever, given or to bee given againſt Malignants, ſhall prejudge Miniſters in their Stipends, or the Kirk in any pecuniall paines due by Law, nor any Univerſities, Hoſpitalls, or Schooles, of any thing due to them, But that the Intrometters with the Malignants Rents ſhall be liable in payment thereof, ſiclik as the Malignants might have beene themſelves, and that notwithſtanding of any Sentence given, or to bee given, againſt Malignants, or any thing that may follow thereupon.

ACT anent the Vniverſities of S. Andrews, Glaſgow, Aberdene, and Edinburgh.

THE Eſtates of Parliament preſently conveened, 50
by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. years: Conſidering that by the 23. Act of his Majeſties ſecond Parliament, holden at Edinburgh the eleventh day of June, the year of God 1640. years, Intituled, In favours of theſe who hold the Lands of Archbiſhops, Biſhops, and other Members of their Chapters, (whereby in reſpect they knew not to whom they ſhould pay their yearly Few Duties, and other Few Duties which they were bound to pay of before to the ſaids Archbiſhops, Biſhops, and others Members of their Chapters, now aboliſhed out of this Church and Kingdome) found and declared that theſe who by their Infeftments, Taks, and other Rights, are addebted in payment of Few and Tak Duties, are obliged in fulfilling of any other conditions to the ſaids Archbiſhops, Biſhops, Archdeans, Deans, or

other perſons Members of their Chapters, now aboliſhed, as ſaid is, ſhould not be in mora for not payment of the ſaids Duties, and not fulfilling of the other conditions of their Rights; and that the clauſes irritant of their Infeftments, Taks, and other Rights, ſhould not militate againſt them, nor yet the certification of the Act of Parliament, for not payment of the ſaids Duties, and not fulfilling of the ſaids other clauſes, during the intervall of time, from the firſt of April 1638. nor thereafter in time-coming, while order were taken by the Eſtates of Parliament, anent the way and manner of payment of the ſaids Few, and other Duties, notwithſtanding of the clauſes irritant, contained in their Infeftments, Taks, & other Rights in maner at length ſpecified in the ſaid Act. And now ſeeing it hath pleaſed his ſacred Matie out of his Princely care & favour, to give & mortifie certain of theſe Archbiſhopricks, Biſhopricks, Priories, Perſonages, and other Benefices, to the Univerſities of S. Andrews, Glaſgow, Aberdene, Town and Maſters thereof, and to the Univerſity and Town of Edinburgh, in manner ſpecified in the ſeverall Gifts and Mortifications made and granted to them thereanent: And that for the better maintenance of the Maſters, Profeſſours, and other members of the ſaids Univerſities and Colledges, and of the ſaid Burgh and Miniſters thereof, for the furtherance of Learning and Piety therein. And ſo it is now notorly known to whom theſe who held their Lands, Teinds, and others foreſaids of the ſaids Archbiſhops, and others now aboliſhed, as ſaid is, are lyable in payment. Therefore, and for the better and more ready payment of the ſaids Few-Duties, Teind-Duties, Tak Duties, and others foreſaids; The Eſtates of Parliament declares the foreſaid Act to be expired, and to be voyd and null from this time forth, in all time-coming, and that in ſo far as concernes the ſaids Univerſities and Burghs reſpective above-named, to the effect that all ſuch perſons as were liable in payment of before to the ſaids Archbiſhops, Biſhops, Deanes, Parſons, and other Members of their Chapters, now aboliſhed, as ſaid is, ſhall and may bee now liable in payment to the ſaids Univerſities and Members thereof, and Burghes, and Miniſters thereof reſpective foreſaid, conform to their ſeverall Gifts and Mortifications of the ſamine, and that in the ſame forme and maner as they were liable of before to the ſaids Archbiſhops, Biſhops, and other beneficed perſons before their aboliſhing, as ſaid is.

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51 REFERENCE to the Committee of Eſtates, anent the rents of excommunicate perſons.

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REFERENCE to the Committee of Eſtates, concerning allowance to Miniſters ſent to the Armies in England, and for their out-reiking thereto. 52

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RATIFICATION of the gift of 500. pounds ſterling [out of his Maties reuenewes to the Commiſſioners of] the Kirk. 53

. . . . . .

ACT and Reference [to the Exchequer] in favours of the Juſtice Deputes. 54

. . . . . .

COMMISSION for viſitation of the Univerſitie of Saint Andrews. 55

. . . . . .

REFERENCE anent ane conſtant courſe for apprehending and tryall of Witches. 56

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XXIV JULII.

ACT renewing the Commiſsion for plantation of Kirks, and valuation of Teinds.

THE Eſtates of Parliament preſently conveened by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in Anno 1641. Conſidering that by the 30. Act of the laſt Seſsion of the laſt Parliament, there was Commiſsion granted by the Kings Majeſty and Eſtates of Parliament, to the Commiſsioners therein nominate, and Quorum thereof contained in the ſaid Act, for plantation of Kirks, and valuation of Teinds, in manner thereby provided: And that William Rig of Ethernie, Sir Thomas Hope of Kerſe, Patrick Bell Burgeſſe of Glaſgow, and Thomas Durham Burgeſſe of Perth, foure of the perſons nominate in the ſaid Commiſsion, are now deceaſed; and that Alexander Gordoun of Erleſtoun is ſo infirme, that he cannot attend the ſervice: Therefore, and for the furtherance and diſcharge of the ſervice of the ſaid Commiſsion, The Eſtates nominates Patrick Cockburne of Clerkingtoun, in place of the ſaid William Rig of Ethernie, James Macdowell of Garthland, in place of the ſaid Alexander Gordoun of Erleſtoun, James Stuart Burgeſſe of Edinburgh in place of the ſaid Umquhile Thomas Durham, James Bell in Glaſgow in place of the ſaid Umquhile Patrick Bell, and Sir John Hope of Craighall, one of the 57

Senatours of the Colledge of Juſtice, in place of the ſaid Umquhile Sir Thomas Hope of Kerſe, and eikis them to the foreſaid Commiſsion in place of the ſaids perſons ſua deceaſt & infirm, reſpective, as ſaid is. And farther, the Eſtates addes to thir and the remanent number in the foreſaid Commiſſion, Charles Earle of Dumfermling, William Earle of Lanerk, Alexander Lord Elphingſtoun, and Alexander Lord Balcarras, for the Nobility: Sir John Hammiltoun of Beill, Maſter George Dundas of Mainer, Sir Patrick Hammiltoun of Little-Preſtoun, and Sir Alexander Falconer of Hackertoun, one of the Senatours of the Colledge of Juſtice, for the Barons: Sir John Smith Proveſt of Edinburgh, Robert Meeklejohn burgeſſe thereof, Thomas Bruce Proveſt of Stirling, and Maſter Robert Cunninghame Burgeſſe of Kinghorne, for the Burrows; To bee upon the foreſaid Commiſſion for plantation of Kirks, and valuation of Teinds: And by thir preſents ratifies and renewes the ſaid Commiſſion, with the whole power thereby granted, and whole tenour and effect thereof, in manner, and to the ends therein ſpecified. And grants the like power to the perſons reſpective above-named, now eiked and added to the foreſaid Commiſſion, as is granted to the others Commiſſioners therein nominate, ſicklike, and in the ſamine manner, in all reſpects, as if the ſaids perſons had beene nominate and inſert in the ſaid Commiſſion at the granting thereof. And declares and ordaines the Quorum in the ſaid Commiſſion, to ſtand as it is already ſet downe and condeſcended thereintill, notwithſtanding of the adding of the perſons above-named to the Commiſſion.

ACT of the Eſtates of Parliament, appointing the Committees of Warre in the ſeverall Shires and Diviſions of the Kingdome.

58 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in Anno 1641. Taking to their conſideration, that the ſame cauſes that moved the Convention of Eſtates of this Kingdome conveened at Edinburgh 26. Auguſt 1643. years, To nominate and appoint Committees of Warre, in the whole ſeverall Shires of this Kingdome, to the ends, and with the Power and Commiſſion contained in the Printed Acts and Orders of the Convention of Eſtates of the date foreſaid yet remains: Therefore the ſaids Eſtates of Parliament nominates and appoints the perſons under-written, to bee Committees and Commiſſioners within the ſeverall Shires of this Kingdome, as well Burgh as Land, in manner and to the effect contained in the foreſaid Printed Act of the Convention of Eſtates of the date the ſaid 26. Auguſt 1643. yeers.

They are to ſay,

IN the Sheriffdome of Edinburgh principall, John Earle of Lawderdaile, William Earle of Lothian, Earle of Dalhouſie, John Lord Balmerino, John Lord Maitland, George Lord Forreſter, Lord Borthuik, Lord Ramſay, Maſter of Crainſtoun, Maſter of Balmerino, ſir Archibald Johnſtoun of Wariſtoun, Maſter William Sandilands tutor of Calder, ſir John Dolmahoy of that Ilk, ſir James Fowllis of Collingtoune, Maſter John Skein of Halyeards, Maſter John Inglis of Crawmond, ſir John Couper of Gogar, ſir William Nisbet of Dean, the Laird of Craigmiller, the Laird of Lugtoun, John Calderwood Baily of Muſſilburgh, James Johnſtoun in Leith, ſir James Dundas of Arneiſtoun, John Nicolſoun of Poltoun, ſir Patrick Hammiltoun of Preſton, ſir William Scot of Clerkingtowne, John Gibſoun of Alderſtoun, Marke Cas of Cokpen, David Macculo of Guthers, John Pringle of Corralferrie for Stow, William Borthuik for Hereot, Robert Mitchelſone for Dalkeith, Maſter John Cant, the Laird of Haltoun, the Laird of Monktowne, Maſter Lawrence Scot, William Murray portioner of Langherdmeſtoun, Maſter Samuel Johnſtoun, Maſter James Scot of Bonytowne, ſir John Hoip of Craighall, ſir William Dick, George Fowlles of Ravilſtoun, the Laird of Innerleith younger, Henrie Elphingſtoun of Calderhall, ſir John Smith, and James Deniſtoun, with theſe that were the laſt yeere upon the Committee of Warre for this Shire, and were ſent out by the Shire, as Officers in the Army, To bee ſtill upon this Committee at their returne.

IN the Conſtabularie of Haddingtoun and Bailliarie of Lauderdaile, the Earle of Wintoun, the Earl of Roxburgh, the Earle of Haddingtoune, the Earle of Lauderdaile, the Lord Angus, the Lord Zeiſter, the Lord Elibank, ſir James Hammiltoun of Preſtoun, ſir Alexander Moreſoun, ſir John Johnſtoun of Elphingſtoun, ſir John Achinmwtie, James Maxwell of Innerweik, Patrick Congiltoun of that Ilk, Alexander Levingstoun of Salcotts, ſir Patrick Hepburne of Wachtoun, Hepburne younger of Wachtoun, John Hepburne of Craig, George Hume of Foord, ſir Archibald Douglas of Spot, James Hopper of Bourhouſe, ſir John Ruthven the Proveſt of Haddingtoun, Purveis Burgeſſe of Dumbar, ſir John Hammiltoun of Beill, Patrick Whitlaw of that Ilk, Patrick Inglis of Elvingſtoun, James Browne of Colſtoun, Maſter Alexander Hay, Maſter Thomas Bannatyne of Newhall, William Gairnes of Pilmoore, Patrick Abernethie of Notherdaile, Robert Pringle of Templehall, Robert Cawder in Belhavin, ſir William Scot of Harden, Maſter Alexander Hume of S. Leonards, George Logane of Burncaſtle, and Andro Ker of Moreſtoun.

IN the Sheriffdome of Peebles, the Lord Zefter, the Lord Lintoun, ſir Alexander Murray of Blakbarronie, ſir David Murray of Stanihope, ſir John Vaitch of Dawick, James Naſmithe of Poſſo, or ſir Michael Naſmithe his ſonne, James Geddes of Rawchan, John Dickſone of Hartrie, Maſter James Lawſon of Cairnemure, William Lylle of Blaſſindeane, Andro Hay of Hayſtoun, or Maſter John Hay his ſonne, William Govan of Cardrono, William Tweidie of Wrae, James Ruſsill of Kingſyid, James Williamſone Proveſt of Peebles, Maſter Alexander Burnett Tutor of Cringiltie, John Scot of Hundelſhoup, James Murray of Romanno, Robert Hunter of Polmeude, Adam Murray brother to ſir David Murray, James Litle of Fullage, George Crainſtoun of Glen, ſir Alexander Murray to be Conveener.

IN the Sheriffdome of Selkirk, ſir John Murray of Phillophauch to be Conveener, ſir William Scot younger of Harden, Walter Scot now of Whitſlaid, James Pringle of Torwodlie, James Pringle of Whytbank, Hew Scot of Gallow-ſheils, Robert Pringle of Blindlie, Robert Scot of Borthuikbra, Francis Scot of Sintoun, William Scot of Tuſhelaw, Thomas Scot of Todrig, John Murray of Syndhoip, James Murray of Deuchar, John Scot of Gilmiliſcleugh, Robert Scot of Bowhill, Patrick Scot of Thirleſtane, Andro Ker of Sunderland, William Scot of Mengertoun in Newwark, Andro Scot in Foulſcheils, Andro Scot of Braidmeidows, and Thomas Scot in Selkirk.

IN the Sheriffdome of Berwick, the Earle of Hume, the Earle of Hadingtoun, Sir David Hume of Wedderburne, Sir Alexander Swyntoun of that Ilk, Sir William Hume of Aytoun, Sir William Cockburne of Langtoun, John Hume of Blacader, George Hume younger of Wedderburne, Alexander Hume of Halyburtoun, Sir James Cockburne of Ryiſlaw, John Hume of Nanewar, Archibald Douglas of Lumiſdene, John Wilkie Fiar of Foulden, Maſter Henry Hume of Herdrig, George Hume of Diringtoun, John Pringle Fiar of Stitchell, William Hume of Linthill, Maſter George Hume of Bedſheill, Broune of Thornyedykes, John Rentoun of Cambertoun, Alexander Hume of Reſtoun, The Laird of Swyntoun to be Conveener.

IN the Sheriffdome of Drumfreis, and Stuartrie of Annandale, the Earle of Queensberry, the Earle of Annandale, the Earle of Hartfell, the Lord Dalyell, the Laird of Lag, the Laird of Cloisburne, the Laird of Amisfield, Sir John Grierſon, maſter George Douglas of Pingearie, James Douglas of Mortoun, Thomas Fergusſon of Caitlogh, John Creightoun of Crawfurdſtoun, John Lowrie of Maxweltoun, John Wilſon of Crogleme, James Huntar of Ballaggan, John Douglas of Stanehouſe, James Grierſone of Dalgoner, Archibald Johnſtoun of Clochrie, the Laird of Twidell, John Dalrumple of Waterſide, the Laird of Apilgirth, the Laird of Mouſwall, James Johnſtoun of Corheid, Andrew Johnſtoun of Locherbie, Archbald Douglas of Dornok, the Laird of Wamfra, Francis Scot of Cairtertoun, Matthew Wilſon in Greenhill, John Kennedie of Halleithis, Robert Johnſtoun of Newtoun, the Laird of Drumcreich, Johnſtoun of Poldean, John Johnſtoun called Viccarland, John Irwing late Proveſt of Dumfreis, Roger Kirk-Patrick Baillie there, Robert Richardſon there, John Maccleane there, John Johnſtoun Baillie of Drumfreis to be Conveener.

IN the Sheriffdom of Lanerk, the Marqueſſe of Douglas, the Lord Fleming, the Laird of Lamingtoun, Sir James Lockhart, Sir William Carmichael, Sir William Weir, Sir Will. Lockhart, Sir James Hope, the Laird of Blackwood, the Baron of Wiſtoun, the Laird of Anneſtoun, the Laird of Bonytoun, the Commiſſar of Lanerk, the Laird of Jarreſwood, the Laird of Welſton, the Goodman of Wickitſhaw, the Laird of Halcraig, the Laird of Maudiſly, the Laird of Cleghorn, the Laird of Bagray, Will. Brown of Dolphingtoun, John Douglas of Birkhil, Gedeon Jack of Broxfield, the Bailies of Lanerk. Thir for the Committee of Warre within the Presbyterie of Lanerk, to meet at Lanerk, The Earle of Lanerk, the Lord Orbeſtoun, the Laird of Silvertoun-hill, the Goodman of Haggs, Sir James Hamiltoun of Bromehill, the Goodman of Dalſerf, the Goodman of Raploch, the Laird of Carphin, the Goodman of Allantoun, Bancloch, Woodhall younger, Sir James Somervell, the Laird of Clelandtoun, the Laird of Torrens, the Goodman of Oodſtoun, Boigis, Braidiſholme, Milneburne, Murdiſtoun, Patrick Hamiltoun of Gateſide, John Alexander Bailie of Hamiltoun, the Goodman of Kipbyre, and the Laird of Maynes. Thir for the Committee of Warre within the Presbytery of Hamiltoun, to meet at Hamiltoun, Sir Robert Douglas, Maſter John Dunlop of Cada, Walter Cuthbert of Towcorsburne, Maſter Archbald Fleming, Maſter James Robertoun of Bedlae, James Bell Proveſt of Glaſgow, James Hamiltoun there, Coline Campbel younger there, John Anderſon late Bailie there, William Neilſon there, Robert Hamiltoun of Cathkin, the Laird of Aikinheid, John Scot in Rutherglen. Thir for the Committee of Warre within the Presbyterie of Glaſgow, to meet at Glaſgow, and William Bailie of Carphine, to conveen the whole three Committees abovewritten, when neceſsity requireth them to meet in one place.

IN the Sheriffdome of Linlithgow, the Earle of Linlithgow, the Lord Bargany, the Laird of Dundas elder and younger, William Drummond of Richardtoun, Sir Walter Murray of Levingſtoun, Sir James Stuart of Kirkhill, Sir John Dundas

of Newliſtoun, George Dundas of Dudingſtoun, Maſter George Dundas of Mayner, Sir Robert Drummond of Medhop, John Hamiltoun of Boghall, Samuel Drummond of Carlowrie, James Cochran of Barbauchley, James Hamiltoun of Grange, John Hamiltoun of Kinglaſh, Alexander Hamiltoun of Bynnie, Maſter John Bruce of Wrae, Maſter James Hamiltoun of Weſtport, George Bell Proveſt of Linlithgow.

IN the Sheriffdome of Dumbartan, William Sempil of Fulwood, Walter Macauley of Ardincaple, John Napeir of Kilmahew, Noble younger of Feirme, John Macfarlan of that Ilk, Sir Humphrey Colquhoun of Balvie, William Buntein younger of Ardoch, Mungo Lindeſay of Banull, Robert Colquhoun of John Colquhoun of Kilmardining, John Denneſtoun of Dalquhorne, Hugh Crawfurd of Clobarhill, William Douglas of Kayſtoun, John Darleith of that Ilk, Andrew Stirling of Lime, William Stirling in Enbarnat, John Sempill Proveſt of Dumbartan, Robert Hall of Fouwar.

IN the Sheriffdome of Wigtoun, the Earle of Caſsils, the Earle of Galloway, the Lord Garleis, Sir Patrick Agnew, and in his abſence Andrew Agnew his ſon, the Laird of Garthland, Alexander Macdowgal of Logan, William Gordoun of Crachlaw, John Vaus of Barnebarro', John Murray of Brochtoun, John Dumbar of Mochrum, and in his abſence Dumbar his eldeſt ſon, John Macculloche of Myretown, Alexander Macculloche younger of Arduell, Thomas Hay of Park, Uchreld Macdowell of Freuche, David Dumbar of Baldune, Patrick Agnew of Seuchan, Hugh Macdowel of Knocklaſh, John Catheart of Ganoche, Hugh Kennedy of Sinnes, Fergus Kennedy Proveſt of Stranrawer, Patrick Ahannay Proveſt of Wigtoun, Gilbert Neilſon of Craigcaffie, and James Kennedy Factour to the Earle of Caſsils; with power to theſe within the Earle of Caſsils Diviſion, to meet by themſelves, or any five of them: The like power to any five within the Lord Garleis his Diviſion: And the Conveener to be according to the Act of the Convention of Eſtates in Auguſt 1643.

IN the Sheriffdom of Roxburgh, the Earle of Roxburgh, the Earle of Bacleugh, Sir William Douglas of Cavers, Sir Andrew Ker of Greenheid, Sir Thomas Ker of Cavers, John Rutherfurd of Hunthil, Robert Pringle of Stichell, Robert Langlands of that Ilk, Maſter Gilbert Allot of Craigend, Walter Scot of John Scot of Heidſhaw, John Keirop of that Ilk, Gedeon Scot of Harden, Andrew Ker of Maſendew, Andrew Ker of Shaw, Gedeon Wauchope, John Rutherfurd of Keapok, Archbald Ellot of Faineſch, the Laird of Ednem, the Laird of Greddan, Andrew Bell of Mow, Maſter William Moore of Otterburne, the Laird of Fairningtown, Sir Walter Riddell of that Ilk, Andrew Ker of Lyntoun, the Laird of Bymerſide elder, Archbald Douglas Fiar of Cavers, William Ellot of Stobbs, John Ker of Lochtower, Henry Cranſtoun brother to the Lord Cranſtoun, John Scot of Gorrinberrie, William Ker of Newtoun, John Rutherfurd Fiar of Dalgerſtoun, Sir William Douglas of Cavers to bee Conveener.

IN the Sheriffdome of Air, the Earle of Lowdoun Chancellour, the Earle of Eglintoun, the Earle of Glencairne, the Earle of Caſſils, the Lord Montgomerie, the Lord Boyd, the Lord Barganie for Kyle, ſir Hugh Wallace of Craigie, ſir William Cunningham of Capringtoun, ſir Hugh Campbel of Seſnock, ſir William Cochrane of Cowdoun, James Chalmers of Gaitgirth, David Crawfurd of Kers, John Fullertoun of that Ilk, David Boſwel of Auchinlech, John Campbel of Shankſtoun, John Lockart of Bar, Thomas Stuart of Gaſtoun, Maſter Adam Cuninghame of Privik, Farquhar younger of Gilmilneſcroft, Alan Cathcart of Carnhill, John Osburne for Air. For Cuninghame, John Crawfurd of Kilburnie, John Blair of that Ilk, ſir William Cuninghame of Cunninghameheid, ſir William Mure elder and younger of Rowallane, John Brisbane of Biſhoptoun, Neil Montgomerie of Langſhaw, John Crawfurd of Crawfurdland, Alexander Cuninghame of Corſehill, James Dunlop of that Ilk, Hugh Ker of Kerriſland, William Ralſton of that Ilk, John Cuninghame of Baidland, Maſter Robert Barclay for Irwin, Hen. Kelſo in Lairgs. For Carrick, ſir Alex. Kennedie of Collen, David Kennedie of Kirkmichel, Thomas Boyd of Penkil, Hugh Kennedie of Girvan-maynes, John Kennedie of Knockdaw, Maſter Hugh Cathcart Tutor of Carletoun, Thomas Kennedie younger of Ardmillane, Robert Macalexander of Corſcleyes, John Macilvein of Grimmet, John Whitefurd of Balloche, Adam Whitefurd of Kennedie younger of Kirkmichel, John Shaw of Keirs, Gilbert Kennedie of Dougat, John Eccles younger of Kildonane, the Lairds of Ceſnok or Gaitgirth to bee Conveeners.

IN the Sheriffdome of Renfrew, ſir Lodovick Houſtoun of that Ilk, ſir John Maxwel of Netherpollok, ſir William Ros of Mureſtoun, ſir Patrick Maxwel of Newark, William Cuninghame of Craigans, John Brisbane of Biſhoptoun, John Shaw of Greenok, Alex. Porterfield of that Ilk, John Stuart younger of Blakhall, Pat. Fleming of Barruchan, Robert Pollok of that Ilk, Bryce Semple of Cathcart, William Mure of Glenderſtoun, William Caldwel of that Ilk, Cornelius Crawfurd of Jordanhill, John Spreul of Caſtelhil, Robert Wallace Bailie of Paſley, ſir John Crawfurd of Kilburnie, ſir William Cochrane of Cowdoun.

IN the Sheriffdome of Argyle, Robert Campbel of Glenurquhie, ſir Duncan Campbel of Achinbreck, Duncane Campbel of Dundrone, Coline Campbel of Innerliver, Archbald Campbel Captain of Craigneſſe, Maſter Dougal Campbel of Lag, Hect. Macneil of Thynes, Hector Mac-alaſter of Loupe, Malcome Mac-nachton of Dundarrow, Archbald Campbel of Glengarradal, John Mac-cloyd of Dunvagan, ſir Donald Mac-Donald of Slait, John Macronald of Ilantyrum, Captain of the Clan-ranald, Alan Cambroun of Lochyel, or Donald Cambroun his ſon, ſir Don. Campbel of Ardnamurchan, ſir Lachland Mac-clean of Dowart, Murdoch Mac-clean of Lochbwie, James Campel of Ardkinglas, Archbald Campbel of Kilmund, Coline Campbel of Straghirgtir, Archbald Campbel of Otter, ſir James Lawmont of Innerryne, Lachlan Mac-lachlan younger of that Ilk, John Campbel of Lochninel, Archbald Campbel Captain of Dunſtafneſſe, George Campbel Tutor of Calder, John Mac-dowel of Ragra, John Campbel of Ardchattan, Alex. Macdowgal of Dunnoloy[t], and George Campbel Sheriffdepute of Argyle, and the ſaid Laird of Glenurquhie, or in his abſence Auchinbreck to bee Conveener.

IN the Sheriffdome of Clakmannan, ſir Charles Erſkin of Cambuskenneth, the Laird of Sauchie, the Laird of Duncrub, the Laird of Roſſyith, Maſter Robert Bruce of Kennet, the Laird of Clakmannan, Edward Broun of Ferrietoun.

IN the Sheriffdome of Fyffe and Kinroſſe, Arthur Erſkin of Scottiſ-craig, Lundie of that Ilk, or Robert Maitland, William Scot of Ardroſſe, ſir Thomas Mortoun of Cambo Colonel, ſir James Lumſden, Robert Forbes of Rires, or William Forbes his ſon, Iohn Cuningham of Barnes, George Hay Fiar of Nauchtoun, James Airth for Pittinweeme, ſir And. Bruce of Earlſhal, ſir George Hammiltoun of Blaikburne, ſir Michael Arnot of that Ilk, ſir John Weemes of Boigie, ſir Andrew Skein of Halyards, James Law for Kirkcaldie, Maſter Robert Cuninghame for Kinghorn, Geo. Garden for Bruntiland, ſir John Erskin of Otterſtoun, John Henderſon of Fordell, ſir Robert Colvil of Cleiſh, Will. Monteith of Randiefurd, ſir James Halket Fiar of Pitferran, James Reid for Dumfermling, Robert Dempſter of Balbougie, ſir David Barclay of Cullernie, David Beton of Creich, ſir John Ayton of that Ilk, ſir James Arnot of Fearnie, John Preſton Fiar of Airdrie, David Pitcairn of that Ilk, ſir Michael Balfoure of Denmylne, David Mac-gil Fiar of Rankelour, George Jameſon for Couper, John Seaton of Lafreis, David Balfoure of Balloch, William Halyday of Tulliboil, ſir William Douglas of Kirkneis, Robert Paterſon of Dinmoore, David Simſon for Dyſert, Marke Kinglaſsie for Innerkithing, Captain Alex. for Anſtruther, James Sword for S. Andrews, Andrew Daw for Crail, and Scottiſcraig, or in his abſence Denmylne to be Conveener.

IN the Sheriffdome of Perth, John Earle of Perth, William Earle of Airth, John Lord Kilpont, James Lord Murray of Gask, James Lord Couper, ſir Thomas Blair of Balthyok, ſir Thomas Ruthven of Frieland, ſir Pat. Ogilvie of Inchmartin, ſir John Hadden of Glennegies, John Campbel Fiar of Glenurquhie, Peter Hay of Leyis, Robert Arnot Proveſt of Perth, ſir James Drummond of Mauchanie, Maſter George Grahame of Inchbraikie, Pat. Kinnaird of Inchefture, John Blair of Ardblair, Maſter David Kinloch of Aberborthrie, David Grahame of Gorthrie, David Carmichael of Balmedy, John Grahame of Balgawne, ſir John Moncreiff of that Ilk, William Stirling of Auchyle, Alex. Meinyeis of Comrie, James Stuart of Arvorlieh, George Drummond of Balloch, Ramſay of Bamff, Gilbert Campbel Fiar of Kethik, Maſter Francis Hay of Balhouſie, ſir Thomas Stuart of Garnetullie, Maſter David Moncreiff of Craigie, Thomas Meinyeis of Fergarmoch, Maſter Gilbert Stuart of Balkail, Alex. Robertſon of Downe, James Stirling of Balvil, James Drummond of Milnenab, Henry Sinclare of Gleſſingal, William Grahame of Bulquhopil, Maſter James Henderſon of Mac-coranſtoun, Coline Campbel of Knockhill, James Ure of Shergartoun, Geo. Buchanan younger of that Ilk, John Buchanan of Arnepryor.

IN the Sheriffdome of Forfar, the Laird of Dun Preſes, and in his abſence the Laird of Findawrie, Frederick Lyon of Bridgtoun, Robert Arbuthnot of Findowrie, Thomas Fothringhame of Powrie, Maſter James Durhame of Pitkerraw, or in his abſence William Durhame elder of Grange, James Durhame of Powrie, John Scrymgeour of Kirktoun, Thomas Halyburtoun for Dundee, or George Broun, John Nevay of that Ilk, James Ogilvie of Balfoure, ſir James Ogilvie of New-grange, Maxwell of Teilling, Peter Young of Seatoun, William Ruthven of Gairn, ſir Alex. Erskin of Dun, ſir Alex. Carnegie of Bonamone, George Symmer of Balyordie, Alex. Ramme for Montroſe, John Ochterlony for Arbroth, Henry Mauld of Melgum, Thomas Fothringhame of Denoone, ſir William Blair of Balgillo, George Campbel of Carſgownie, John Ogilvie of Pitmonis, James Perſon of Balmadies, John Ochterlony of Hoſpitalfield, William Lyon for Brichen, William Huntar for Forfar.

IN the Sheriffdome of Kincardin, ſir Alex. Falconer younger of Halkertoun, Alex. Straytoun of Lowrieſtoun, ſir Robert Graham elder and younger of Morphie, William Raitt of Hall-green, Allerdyce of that Ilk, David Ramſay younger of Balmayne, Burnet younger of Leyis, Maſter James Straughane of Fettercairne, Maſter David Falconer of Glenfarquhar, Baner-

man of Elfick, Patrick Falconer of Newtoun, John Barclay of Johnſtoun, Patrick Levingſtoun of Benholme, Robert Douglas of Brig-foord, John Grayhame of Craigie, Robert Middletoun of Caldhame, John Strachane Tutor of Thorntoun, James Douglas of Stanepeth, Alex. Keith of Kirktounhill, Andro Stretoun of Greinleyis, Andro Raitt of Kincauſie, Arthur Stratoun of Snatoun, and in his abſence Arthur Stratoun of Kirkſide.

IN the Sheriffdome of Bamff, Alex. Ogilvie of Kirkairne, Alexander Abercrombie of Birkinboig, ſir Alex. Abercrombie his ſon, Abercrombie of Skeith, James Baird of Auchmedden, George Oglevie of Halyeards, Sutherland of Ducheor, Innes younger of Auchlonchart, Grant younger of Ballindalloch, William Lawtie in Myrehous, Walter Oglevie of Poldavie, Robert Wilſon of Braikenhils, Walter Oglevie in Rydhithe, ſir Alexander Abercrombie to be Conveener.

IN the Sheriffdome of Aberdene, the Earle Marſhall, the Lord Gordoun, the Vicount of Frendrau', the Lord Forbes, the Lord Fraſer, Alexander Fraſer of Pillorth, ſir William Forbes of Craigievar, Walter Forbes of Tolquhen, Thomas Ereskine elder of Pittodrie, Thomas Ereskine younger of Pittodrie, James Skein of that Ilk, Arthur Forbes of Echt, John Forbes of Leſlie, William Forbes younger of Leſlie, Alexander Strauhane of Glenkindie, Alexander Strauhane younger of Glenkindie, Robert Farquharſone of Invergauld, Gilbert Skein of Dyce, John Irwing of Beltie, Geo. Leſlie younger of Kincraigie, John Forbes of Aſlowane, James Oglevie of Weſthall, Thomas Forbes of Watertoun, John Kennedie of Carmukis, Alex. Forbes Tutor of Pitſligo, Thomas Fraſer younger of Streichine, John Keith of Blackriauche, Alex. Ereſkine of Rothney, Pat. Leſlie preſent Proveſt of Aberdene, Maſter Alex. Jaffray of Kingſwals, Maſter Robert Farquhar of Munie, Maſter William Moir of Scottiſtoun, William Forbes younger of Corſinday, Geo. Leith of Threfield, John Leith of Whythauche, Alexander Jaffray Baillie of Aberdene, Maſter Alexander Jaffray of Kingſwals to bee Conveener.

IN the Sheriffdome of Elgin and Nairne, and a part of the Sheriffdome of Innernes, with the Towne thereof, and Strathſpey, Duncan Forbes of Calladon, James Cudbert of Drakes, William Macintoſh of Keillachie, William Dollos of Cantra, William Roſſe of Clava, Hugh Roſſe of Kilraock, Alexander Brodie of Lethin, John Grant of Moynes, John Sutherland of Kinſterie, Alexander Dumbar of Both, John Hay of Knockowdie, Thomas Mackenzie of Pluſcarden, Alex. Dumbar of Weſtfield, Thomas Tulloche of Tannachies, Ninian Dumbar of Granghill, Alexander Brodie of that Ilk, Alex. Sutherland of Duffus, ſir Rob. Innes of that Ilk, ſir Rob. Gordon of that Ilk, Maſter John Hay Proveſt of Elgin, Pat. Campbel of Both, James Grant of Frewchie, John Grant of Ballindalloch younger, and the Laird of Brodie, or in his abſence Innes to be Conveener.

IN the Sheriffdome of Stirling, the Laird of Touche, the Laird of Leckie John Rollok of Bannokburn, Walter Buchanman of Drumakil, John Lennox of Barnſhogle, Mungo Stirling of Glorat, John Buchannan of Roſe, John Kincaid of Achinreauche, Maſter John Rollok, ſir Charles Erskine, Geo. Buchannan of that Ilk, ſir Thomas Nicolſone of Carnok, Maſter William Cuninghame of Brounhill, Rob. Blair of Finnik, Lennox of Wodheid, the Laird of Kincaid, Alex. Cuninghame of Boquhaine, Bruce of Achinbwie, Thomas Bruce Proveſt of Stirling, John Rucheid of Caſtbe, John Maclachlan of Thomas Elphingſtoun of Carsfyre, Adam Colquhoun of Glennis, John Grahame of Poldare, and the ſaid Thomas Bruce Proveſt to be Conveener.

IN the Stewartrie of Kircudbright, the Vicount of Kenmure, the Lord Kircudbright, the Laird of Bulmaghie, Alex. Gordoun of Earlſtoun, John Gordoun his ſon, John Gordoun of Gardines, John Lennox of Calie, John Broun of Carsluith, Alex. Lennox appeirand of Calie, Rich. Mure of Caſſincarie, William Glendoning Proveſt of Kircudbright, John Carſſan Baillie there, John Fullertoun of Carletoun, Rob. Gordoun of Knokbrax, Alex. Gordoun of Knokgray, Thomas Rome appeirand of Irnegray, John Stuart of Shambellie, Rob. Maxwell of Kirkhouſe, Geo. Glendoning of Mochrum, ſir Patrick Mackie of Larg, Thomas Macleilane of Collin, James Telfeir of Haircleugh, and the ſaid John Fullertoun of Carletoun to be Conveener.

IN the Sheriffdome of Bute, ſir Rob. Montgomery younger of Skelmorley, Hector Bannatyne of Kames, Ninian Stuart of Kilchattain, Rob. Jameſone Crowner, Alexand. Campbel of Pimner, Ninian Spence of Weſterkames, John Hammiltoun Bailie of Arrane, James Stuart of Kilquhindik, Ninian Stuart of Askog, John Stuart of Ardrifmore, John Campbel, John Jameſone Proveſt of Rotheſay, Robert Bannatyne of Cubas.

IN the Sheriffdome of Sutherland, and a part of Innerneſſe, Gray of Skibo, David Roſſe of Balnagowne, Sir Alex. Sutherland of Duffus, Sir Robert Monro Tutor of Foullis, Walt. Inneis of Innerbreakie, Hector Douglas younger of Mulderg, And. Macculloch of Glaſtalloch, Hugh Roſſe of litle Torcel, Alex. Gray of Oſpiſdail, Ro. Murray of Pulroſsie, Donald Maccloyd of Aſsint, Walt. Murray of Pitgrudie, Hucheon Mackie of Skaurie, Alex. Gordoun of Carrel, Ro. Gray of Culmaillie,

Sir John Gordoun of Embo, and Gray of Skibo, or in his abſence Balnagowne to be Conveener.

IN the Sheriffdome of Caithnes, Sir James Sinclar of Murkil, Francis Sinclar of Tusbuſter, Sir James Sinclar of Cansbar, Sir John Sinclar of Dunbeth, James Sinclar of Retter, Alex. Sinclar of Lathron, David Sinclar of Pat. Sinclar of James Sinclar of Brimes, James Sutherland Fiar of Forſe, John Sinclar of Aſſuri, John Murray of Pennieland, Alex. Cogil of that Ilk, Charles Caddell of Lynake, David Cogil Fiar of Cogil, David Caddell of Skouthell, William Bruce of Hame, Rob. Murray in Thurſo, John Inneis of Thirſeter, David Budge of Alex. Bruce of Holland, Rob. Inneis of John Davidſon Sheriff-clerk, and the ſaid Laird of Murkil to be Conveener.

IN the Sheriffdome of Orkney, Stuart of Maynes, Henry Stuart of Grinſay, Thomas Buchanan Sheriff, Maſter Henry Aiken Commiſſar, Ed. Coke, Magnus Taylor, John Baikie, and Henry Prince Bailies of Kirkwall, Pat. Smith of Braco, William Sinclar of Saba, John Craigie of Sande, Thomas Sinclar of Campſtoun, James Baikie of Tankernes, Ed. Sinclar of Gyre, Ed. Sinclar of Neſſe, John Sinclar of Hamer, Adam Bellanden of Stenhouſe, David Hart of Ruſland, Hugh Halcro of Gruke, William Craigie of Gerſey, William Irwing of Garſlay, Pat. Balfoure of Faray, Tho. Trail of Holland, James Coke of Bea, John Grot of Elſnes, James Fea younger of Clayſtrain, Rob. Stuart of Burgh, John Grot of Halſtoun, James Mudie of Melſiter, Hugh Halcro of that Ilk, and the Laird of Maynes, or in his abſence Maſter Henry Aiken to be Conveener.

TO the which whole Committees and Commiſſioners reſpectivè of the ſeverall Shires and Presbyteries reſpectivè above-mentioned, and to every one of the ſamine ſeverall Committees: The ſaids Eſtates renewes and grants the ſame Commiſſion, Power, and Warrant contained in the foreſaid Printed Act of the Convention of Eſtates, and to the ends, and with the ſamine Liberties and Priviledges therein ſpecified, and conforme to the tenour of the ſamine printed Act in all points. And ordaines the ſaids ſeverall Committees to meet and conveen with all conveniency ſo ſoon as they can, betwixt and the ſixth day of Auguſt next at fartheſt. With power nevertheleſſe to the Committee of Eſtates of Parliament that ſhall reſide at Edinburgh, To alter or change the foreſaids Committees of the ſeverall Shires above-mentioned, or any of the perſons therein nominate, as the ſaids Committee of Eſtates ſhall think fit, or finde expedient.

ACT renewing the Commiſsion for the Common Burdens.

THE Eſtates of Parliament preſently conveened, 59
by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in Anno 1641. Conſidering that by the 24. Act of the laſt Seſsion of the laſt Parliament, There was Commiſsion granted by the Kings Majeſtie, and Eſtates of Parliament, to the Commiſsioners therein nominate, and Quorum thereof, contained in the ſaid Act for regulating the Common Burdens of this Kingdome, in manner therein mentioned: And that William Rig of Ethernie, Patrick Bell Burgeſſe of Glaſgow, and Thomas Durham Burgeſſe of Perth, three of the perſons nominate in the ſaid Commiſsion, are now deceaſt, and that Alexander Gordoun of Erleſtoun is ſo infirme that he cannot attend the ſervice: Therefore, and for the furtherance and diſcharge of the ſervice of the ſaid Commiſsion, The Eſtates nominates Patrick Cocburn of Clerkingtoun in place of the ſaid Umquhile William Rig of Ethernie, James Macdowell of Garthland in place of the ſaid Alexander Gordoun of Erleſtoun, James Stuart Merchant, Burgeſſe of Edinburgh in place of the ſaid Umquhile Thomas Durham, James Bell in Glaſgow in place of the ſaid Umquhile Patrick Bell. And eikis them to the foreſaid Commiſsion in place of the ſaids perſons ſua deceaſt and infirme reſpectivè as ſaid is. And farther, The Eſtates addes to thir and the remanent number in the foreſaid Commiſsion, Charles Earle of Dumfermling, William Earle of Lanerk, Alexander Lord Elphingſtoun, and Alexander Lord Balcarras for the Nobility: Sir John Hamiltoun of Beill, Maſter George Dundas of Mainer, Sir Patrick Hamiltoun of Little-Preſtoun, and Sir Alexander Falconer younger of Hackertoun one of the Senatours of the Colledge of Juſtice for the Barons: Sir John Smith Proveſt of Edinburgh, Robert Meeklejohn Burgeſſe thereof, Thomas Bruce Proveſt of Stirling, and Maſter Robert Cuninghame Burgeſſe of Kinghorne for the Burrowes: To be upon the foreſaid Commiſsion, for regulating the Common Burdens of the Kingdome: And by thir preſents ratifies and renewes the ſaid Commiſsion, with the whole power thereby granted, and whole tenour and effect thereof, in maner, and to the ends therein ſpecified. And grants the like power to the perſons reſpective above-named, now eiked and added to the foreſaid Commiſsion, as is granted to the other Commiſſioners therein nominate, ſicklike and in the ſamine manner in all reſpects, as if the ſaids perſons had been nominate and inſert in the ſaid Commiſſion at the granting thereof. And declares and ordaines the Quorum in the ſaid Commiſſion, to ſtand as it is already ſet down and condeſcended thereintill, notwithſtanding of the adding of the perſons above-

named thereto. And the Eſtates hereby diſcharges ſimpliciter all Fees appointed by the former Commiſſions, to the Commiſſioners for the Common Burdens in time-coming, but prejudice to the Clerk of his Fee.

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60 ACT in favours of William Thomſon Commiſſar Depute, granting approbation and exoneration of his Compts.

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XXV JULII.

ACT for putting of the Kingdome in a Poſture of Warre.

61 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in Anno 1641. Conſidering the great Preparations made by Strangers, and ſome unnaturall Countreymen, to invade this Kingdome, and deſtroy the Religion, Laws, and Liberties thereof: And that an Army under the command of Prince Rupert, are marching in an hoſtile way towards the Borders of this Kingdome for that effect, Do finde it abſolutely neceſſary, that for our owne preſervation and ſafety of this Countrey, the ſamine ſhould bee put in a poſture of defence, as may raiſe the Countrey moſt ſpeedily, and bring them ſooneſt forth to reſiſt the preſent invaſion. Therefore it is ſtatute and ordained, that all the Fenſible perſons betwixt ſixtie and ſixteene, of whatſoever quality, within the Sheriffdomes of Berwick, Roxburgh, Selkirk, Peebles, Drumfreis, and Stuartries of Anandale and Kireudbright, Conſtabularie of Hadintoun, Bailiarie of Lawderdale, Edinburgh principall, Linlithgow, Stirling, Clackmannan, Lanerk, Aire, Renfrew, Wigtoun, Fyfe, Perth, and Forfar, Be preſently contrived in Companies and Regiments of Horſe and Foot, and that they be ſufficiently provided with Armes and Ammunition, and thirty dayes proviſion, and be ready to defend the Countrey, oppoſe any Invaſion, and purſue the Invaders; And that they bee ayding and aſſiſting to eithers, and bee ready to march where the Invaſion ſhall happen to bee, or to ſuch places of Rendezvous, as upon certaine intelligence and correſpondence amongſt theſe who have command, ſhall bee thought moſt fitting, for oppoſing and purſuing the Enemy. And if any of the Heritors bee aged, or knowne to be infirme, That they ſend out able men, with their beſt Horſe and Armes. And ſtatutes and ordaines the whole Forces, Horſe and Foot aforeſaid, to bee readie to march upon advertiſement, by putting forth of Beakons upon the accuſtomed places, or ſuch other advertiſement as ſhall bee given in (excepting ſuch numbers as the Marqueſſe of Argyle ſhall raiſe for the publick ſervice in the Weſt, out of the Shires of Air, Stirling, Perth, and Renfrew.) And to the effect the Forces in the Shires may bee the better provided with Armes, and more ſpeedily and exactly brought forth, The Eſtates foreſaids ordaines, that all ſuch as were formerly appointed to bee Colonels, or Root-maſters of the Shires, by the Convention of Eſtates and their Committees, ſtill remaine and continue in that charge in theſe Shires where they are nominate. And ordaines the ſamine Diviſions and Conjunctions of Shires likewiſe to ſtand. And in like manner ordaines the whole Noblemen and Committees of Warre of the ſeverall Shires and Diviſions, to meet all in their owne ſeverall Committees, in their ordinary place of meeting, betwixt and the ſixth day of Auguſt next to come incluſivè at the fartheſt, and there to determine upon the ſaids Regiments both Horſe and Foot, and according to the number of the ſamine Horſe and Foot within ilk ſeverall Shire and Diviſion, to chooſe and appoint moe Colonels, Root-maſters, and all other Officers neceſſary, for leading and commanding of their Forces, aſwell Horſe as Foot, and to provide as many Armes and Ammunition as will arme all the able men in the Shire, and that either by giving preſent Money for them, or Bands for the price thereof to a certaine day, and they to have Letters of relief againſt the Heritors for repayment of the ſamine. With power to the Committees foreſaids, and the Heritors, to diſtribute the Arms in the ſeverall Shires and Diviſions, to theſe perſons that wants. And ordaines all Fenſible perſons whatſoever, betwixt ſixtie and ſixteen, to come forth upon the advertiſement foreſaid, under the paines following, viz: Ilk Noble-man, Gentle-man, Heritor, and Burgeſſe (except Edinburgh and Stirling, who are ordained to put all the Fenſible men within their Towns in Arms and Poſture of Defence) under the paine of a yeares Rent, and ilk Yeoman, under the paine of confiſcation of their whole Moveables, to bee applyed to the uſe of the Publick, and to be farther puniſhed, as contemners of the Orders and authority of Parliament, and Infringers of their Covenant. And ordaines this preſent Act to be preſently publiſhed at the Market-Croſſe of Edinburgh, by an Herauld, by ſound of Trumpet.

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COMMISSION to the Lord Kircudbright, [to be Stuart of] the Stuartrie thereof. 62

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XXVI JULII.

COMMISSION to the Committee of Eſtates of Parliament.

63 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in Anno 1641. Conſidering that this Kingdome (having uſed all other meanes without ſucceſſe) Did enter into a ſolemne League and Covenant with the Kingdome of England, for Defence and Reformation of Religion, the Honour and Happineſſe of the King, and Peace and Safety of thir Kingdomes, and in purſuance thereof, and of the Treaties made thereanent, Did raiſe and ſend Armies into England, and Commiſſioners to the Houſes of Parliament, to endeavour the effectuating of the ends expreſt in the ſaid Covenant and Treaties; And finding it neceſſar that for providing toward the maintenance, welfare, and ſubſiſtence of the Armies abroad in England and Ireland, giving of Inſtructions to the Commiſſioners in England, preſerving of the Peace and ſafety of the Countrey at home, and Ordering and Governing the whole body of this Kingdome, and affaires thereof, A grave Committee of Eſtates ſhould be nominate and authorized by this preſent Parliament: They doe therefore nominate, elect, and make choice of John Earle of Lowdoun High Chancellour of Scotland, Alexander Earle of Levin Lord Generall, and James Earle of Calendar Lord Lieutenant Generall, as ſupernumerarie in this Commiſſion, And Archbald Marqueſſe of Argyle, William Earle Marſhall, John Earle of Sutherland, William Earle of Morton, Earle of Buchan, Alexander Earle of Eglingtoun, William Earle of Glencairn, John Earle of Caſſils, Charles Earle of Dumfermling, Robert Earle of Roxburgh, Earle of Balcleugh, Thomas Earle of Haddingtoun, John Earle of Lauderdail, William Earle of Lowthian, John Earle of Lindſay, Earle of Weemes, Earle of Dalhouſie, William Earle of Lanerk, Vicount of Dudhope, John Lord Yeſter, John Lord Sinclar, Alexander Lord Elphingſtoun, John Lord Balmerino, Robert Lord Burleigh, James Lord Cowper, George Lord Forreſter, Thomas Lord Kircudbright, Alexander Lord Balcarras, John Lord Barganie, Patrick Lord Elibank, Sir Patrick Hammiltoun of Preſtoun, Beatoun of Creiche, Aytoun of that Ilk, Sir William Greirſon of Lag, Sir William Carmichael, Sir Thomas Nicolſone of Carnock, Patrick Cockburne of Clerkingtoune, Maſter Alexander Belſches of Toftis, Sir William Cochrane of Cowdoun, Sir John Crawfurd of Kilburnie, Maſter Francis Hay of Balhouſſie, James Macdowell of Garthland, Sir William Forbes of Craigievar, John Birsbane of Biſhoptoun, Sir John Hope of Craighall one of the Lords of Seſſion, Sir Michael Balfoure of Deanmylne, Sir John Hammiltoun of Beill, Hugh Campbel of Ceſnok, Sir Gilbert Ramſay of Balmaine, Sir Adam Hepburne of Humbie one of the Lords of Seſſion, Sir Arthur Erskine of Scottiſcraig, Sir Patrick Hepburne of Wauchtoun, Lindeſay of Belſtane, Maſter George Winrahame of Libbertoun, Wauchope of Nidrie, Sir David Hume of Wedderburne, Sir William Scot of Harden, Scot of Ardroſe, Sir Thomas Ker of Cavers, Sir William Mure of Rowallane, Sir John Hammiltoun of Orbeſtoun, Juſtice-Clerk, one of the Lords of Seſſion, Sir Archbald Campbel, Sir William Dick of Braid, Burgeſſe of Edinburgh, James Stuart there, Edward Edgar there, Thomas Paterſon there, Robert Arnot Proveſt of Perth, James Simſon Dean of Gild of Dundee, Patrick Leſlie Proveſt of Aberdene, Thomas Bruce Proveſt of Stirling, George Bell Proveſt of Linlithgow, James Lentrone in Saint Andrews, James Bell Proveſt of Glaſgow, John Kennedie in Air, John Semple Proveſt of Dumbartan, George Gardine for Bruntiland, George Jameſon Proveſt of of Cowper, Richard Chaiplen for Haddingtoun, Gideon Jack for Lanerk, John Ochterlonie for Arbroth, Maſter Robert Cunninghame for Kinghorne, Maſter Alexander Douglas Proveſt of Bamff, Andrew Gray Burgeſſe of Monroſſe, James Purves for Dumbar, Archbald Sydſerſe Burgeſſe of Edinburgh, James Wray Burgeſſe there, Hugh Kennedie Burgeſſe of Air, James Sword in Saint Andrews, George Porterfield in Glaſgow, William Glendoning in Kircudbright, John Rutherfurd in Jedburgh, Thomas Macbirnie, David Simſon, John Binnie Burgeſſe of Edinburgh, and Andrew Daw; To be Commiſſioners of Parliament, To whom, or Quorum thereof under-written, The Eſtates of Parliament gives full Power, Warrant, and Commiſſion, To conveene at ſuch Times and Places as they ſhall thinke fitting, and there to take ſuch courſe, give ſuch Orders, Warrants, Inſtructions, or what elſe they ſhall finde neceſſary for defence of the true Proteſtant Religion, the Liberties and Priviledges of the Kingdome, his Majeſties Perſon and authority in the preſervation thereof, for removing the differences betwixt his Majeſty and his People, and promoving the Cauſe in hand, conforme to the Covenant and Treaties made thereupon. And for the better proſecution thereof, With power and command to them to provide Armes, Ammunition, Victuall, and other neceſſars for the Armies and Forces raiſed by this Kingdome, and either ſent into England or Ireland, or yet remaining within the ſame, and to give order to the ſeverall Shires and Burrows of this Kingdome for raiſing ſuch farther number of Forces, Horſe and Foot, out of their ſeverall bounds and Juriſdictions, and for outreiking them with Armes, Ammunition, Victuall, and others neceſſars, as they

ſhall thinke fitting for the ends foreſaids. And with power to the ſaid Committee, to give orders for their Quartering, Muſtering, Marching, appointing of Officers over them, and right regulating of the ſaids Forces, and providing meanes and ſubſiſtence for them: And for that effect to cauſe buy Armes, Ammunition, Victuall, and others neceſſars, and to borrow Money for payment thereof; Which Money ſo to bee borrowed and imployed for the uſe of the publiek, is, and ſhall bee a Debt due by the Eſtates of this Kingdome. And to the effect that the meanes appointed for ſupply of the Armies, and other publicke ſervices, may be made more effectuall, With power and command to the ſaid Committee to be carefull in in-gathering of the Excife, and of Money, and giving publiek ſurety therefore, conforme to the Acts already made thereanent. With power to them alſo in uplifting of the Eſtates Rents, and Goods of ſuch Malignants, and other Delinquents, as are or ſhall be diſcerned to belong to the Publick; To call to an account all ſuch perſons as are or ſhall be intruſted with the ſame, or any other publick intromiſſions, and either by themſelves, or ſuch as they ſhall appoint, to examine, controll, or allow their accounts, and to pay and ſecure theſe perſons to whom any thing ſhall be juſtly owing by the Publick. With power alſo to the ſaid Committee, to give Orders to the Committees of Warre in the Shires (whom they have hereby power to alter or change as they ſhall think fitting.) To all Colonels, Sheriffs, Stewarts, Bailies of Regalities, and other Magiſtrates or Subjects to Burgh or Land, in every thing concerning the Publick, in ſuch a way as they ſhall think fitting. And if the place of any Colonels in the Shire ſhall vaik by deceaſe or otherwiſe, With power to the ſaid Committee to put others in their places, and to remove ſuch others from their places as they ſhal have juſt reaſon for. As alſo with power to them to call before them all Papiſts, Malignants, diſ-affected Perſons, and ſuch others as ſhal not give obedience to the common Reſolutions of this Kingdom, and Judicatories therof, and to take courſe for ſecuring of their perſons and eſtates of whatſoever quality or degree they be of. As alſo, with power to them, as Juſtices hereby authorized by the Eſtates of Parliament, To cauſe apprehend, and call before them, or ſuch as they ſhall appoint, all ſuch perſons as have actually invaded this Kingdome, or riſen in Arms againſt the ſame, or have concurred with, aſſiſted, keeped intelligence and correſpondence with any of the ſaids Invaders and Riſers in Arms, and to purſue them for the ſame, pronounce ſentence, and doe juſtice upon them, conforme to their ſeverall demerits, and that als fully in all reſpects as the Parliament might doe if they were ſitting, without prejudice of the Commiſſion granted in this preſent Seſsion of Parliament anent Criminals and Delinquents. With power alſo to them to treat and determine with the Parliament of England for payment of the arrears due by the Kingdom of England to the Scots Armies in England and Ireland, and to take courſe for the future entertainment thereof, and diſpoſall of the ſame in time-coming in whole or in part. As alſo with power to them to ſend Petitions, Letters, or Remonſtrances, to his Majeſtie, and Meſſages or Commiſsioners to forreine Princes or States, and to returne anſwer to any Letters or Meſſage comming from his Majeſtie or forreine Princes or States. And generally, To doe all and ſundry other things requiſite anent the ordering and managing of all affaires and buſineſſes which may conduce to the good and peace of this Kingdome, and promoving of the common Cauſe, as is expreſt in the Covenant and Treaties. And the Eſtates of Parliament conſidering how neceſſary it is that a part of the ſaid Committee remaine with the Armies in England, and another part to ſtay within the Kingdome, Doe therefore nominate and appoint the ſaids John Earle of Sutherland, William Earle of Mortoun, Alexander Earle of Eglingtoun, Robert Earle of Roxburgh, Thomas Earle of Haddingtoun, John Earle of Lauderdail, Earle of Weemes, William Earle of Lanerk, Alexander Lord Elphinſtoun, John Lord Balmerinoch, Robert Lord Burleigh, John Lord Barganie, Patrick Lord Elibank, ſir Patrick Hammiltoun of Preſton, Beatoun of Creich, Aytoun of that Ilk, ſir William Grierſon of Lag, ſir William Carmichael, ſir Thomas Nicolſon of Carnock, Patrick Cockburne of Clerkingtoun, Maſter Alexander Belſches of Tofts, ſir William Cochran of Cowdoun, Crawfurd of Kilbirnie, Maſter Frances Hay of Balhouſsie, *James Macdowell of Garthland, ſir William* Forbes of Craigievar, John Birsbane of Biſhoptoun, ſir John Hope of Craighall, ſir Michael Balfoure of Deanmylne, ſir John Hammiltoun of Beill, Campbell of Ceſnok, ſir Gilbert Ramſay of Balmayne, ſir John Hammiltoun of Orbeſtoun, Juſtice-clerk, ſir Archbald Campbel, ſir William Dick, James Stuart, Edward Edgar, Thomas Paterſon, Robert Arnot, James Simſon, Patrick Leſlie, Thomas Bruce, George Bell, James Lentron, James Bell, John Kennedie, John Semple, George Gardine, George Jameſon, Richard Chaiplen, Gideon Jack, John Auchterlony, Maſter Robert Cunningham, Maſter Alexander Douglas, Andrew Gray, James Purves, John Binnie, and Andrew Daw, or any ſeven of them, there being one of every Eſtate, to be the Committee to ſtay within the Kingdome, and doe hereby authorize them with the charge of the whole affaires foreſaids within the Countrey; And nominates and appoints the ſaids Archbald Marqueſſe of Argyle, William Earle Marſhall, William Earle of Glencairne, John Earle of Caſsils, Charles Earle of Dumfermling, Earle of Balcleugh, William Earle of Lowthian, John Earle of Lindeſay, Earle of Dalhouſsie, Vicount of Dudhope, John Lord Jeſter, John Lord

Sinclare, James Lord Cowper, George Lord Forreſter, Thomas Lord Kircudbright, Alexander Lord Balcarras, ſir Adam Hepburne of Humbie, ſir Arthur Erskene of Scottiſcraig, ſir Patrick Hepburne of Wauchtoun, Lindeſay of Belſtane, Maſter George Winraham of Libbertoun, Wauchop of Nidrie, ſir David Hume of Wedderburn, ſir William Scot of Harden, Scot of Ardros, ſir Thomas Ker of Cavers, ſir William Mure of Rowallan, Archbald Sydſerfe, James Raie, Hugh Kennedie, James Sword, George Porterfield, William Glendoning, John Rutherfurd, Thomas Macbirnie, David Simſon, or any five of them, there being one of every Eſtate, to be the Committee to remaine with the Armies, and who are hereby authorized with the government of the affaires of the Armies, and to give their beſt advice, counſell, and aſſiſtance, in what may conduce to the good and ſafety thereof. Which two Committees are to keep correſpondence and intelligence one with another, anent their proceedings, and condition of affairs, and are to give their Orders and Concluſions in maner as is above divided; Providing that none of the ſaids Committees enter in Treatie anent the Points and Articles in queſtion betwixt his Majeſtie and the Eſtates of this Kingdome, or betwixt the Kingdomes themſelves, without conſent of a Quorum of both Committees. And if any of the ſaids Commiſſioners places ſhall happen to vaike by deceaſe or otherwiſe, the reſt of the Quorum ſhall have power to make choice of another of that ſame degree to ſupply the places vacant. And with power to the ſaids Committees, and either of them, as they ſhall have occaſion, To conveen ſuch Noblemen, Barons, and Burgeſſes, for their advice and aſſiſtance, as they ſhall think fitting, and who are hereby warranted to aſsiſt them. And if a matter of importance doe occurre that requires the reſolution of the Eſtates, In that caſe the Committee remaining within the Kingdome has hereby power to call the Eſtates of Parliament. And the ſaids Commiſſioners ſhall at their firſt meeting accept their Commiſsion, and give their oaths for the faithfull diſcharge of that truſt committed to them, and fine ſuch of their number as ſhall not give diligent attendance at their meetings. In all which the General Officers of the Army are priviledged to be preſent. And it is hereby declared, That the whole perſons foreſaids, with theſe authorized in Commiſsion to the Kingdome of England, ſhall have place and voice in both Committees foreſaids, as they ſhall happen to be preſent. Firme and ſtable holding, and for to hold all and whatſoever things the ſaids Commiſſioners, or Quorum foreſaid, ſhall doe, in maner and for the ends above-written, they being anſwerable to the Parliament for their proceedings in this Commiſsion, which is to endure till the next Seſsion of Parliament. And the ſaids Eſtates of Parliament adds to this Commiſsion above-written, this power, viz. To exact Three Dollars from every Nobleman, Two Dollars for every Baron, and One Dollar for every Burrow, for ilk dayes abſence from the ſaid Committee within the times appointed and divided for their ſeverall attendance, according as ſhall be condiſcended by the ſaid Committee. And farther, grants power to the ſaid Committee, To depoſe ſuch as they ſhall think fit, for not attendance in keeping of the dyets of the ſaid Commiſsion, and to put others in their places.

ACT anent the chooſing of Commiſsioners out of the Members of Parliament.

THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Findes and declares, That the election of any that ſhall be choſen Commiſſioners out of the number of the Barons, or Burrowes, in all time-coming, in any Commiſſion that ſhall be granted in Parliament, or Convention of Eſtates, for whatſomever buſineſſe or affaires, ſhall bee choſen by the Parliament, out of ane Liſt to bee ſet downe by the Commiſſioners of Parliament for ilk ane of the ſaids two Eſtates reſpectivè. And if any of the other two Eſtates ſhall deſire to adde any to that Liſt, they are either to name them of any of the preſent Members of Parliament, or otherwiſe, that they ſhal be ſuch as are capable to be Commiſſioners for each Eſtate reſpectivè: And not be admitted to bee of the Liſt, without conſent of the preſent Commiſſioners of that Body, to whoſe Liſt they are craved to bee added; and that the Body get twenty foure houres adviſement, according to the Order of the Houſe, before they give anſwer anent the qualification, ſufficiencie, and expediencie of that perſon that ſhall bee added, except hee be ane preſent Member of Parliament for the time, who ſhall be craved to be added. As alſo it ſhall bee lawfull to any of the three Eſtates, to adde to the Liſt of the other two. 64

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DECREET of forfeiture againſt the Earles of Crawfurd and Forth, and Lord Ythan. 65

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RATIFICATION in favours of the Earle of Lindſay, anent his right and Patent of Earle of Crawfurd. 66

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[LETTER from the Earl of Leven]

FOR the Right Honble the Lords and others of the Comity of Estaits within the kingdome of Scotland.

My Lords /

AS in my former lres I muſt likewiſe by this intreat that yor lopps will take into Conſideration the weakeneſs of the ſeuerall regements of this army occaſioned by much ſeruice and very hard vſeage ſince or cōming from Scotland And that yow will be pleaſed to further the Bearer hereof Capne Ingles of Ingliſtoun for the bringing vp of all ſuch as were wanting of the Lord Maitlands regement at there firſt ſetting furth as alſo for ſeaſing and apprehending of all ſuch as are run away of late that condigne puniſhment may be inflicted vpon ſome and the reſt ſent heir to there Cullo'r My requeſt is not only for that But for all other regements wch are come out of or Country vpon this ſeruice The performance whereof will verie much Encourage theſe that are heir / further the ſeruice And tye me to remaine

Yor lopps moſt humble
Yorke Julij 18th ſeruant
1644 LEUEN

26. Julij 1644.

Produced be the Laird of Ingleſtoune and red in audience of plia^t

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XXVII JULII.

ACT concerning the Declaration at Oxford, and the Rebels in the North and South.

67 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Conſidering ane Act of the late Generall Aſſembly, upon the third of June laſt, concerning a Declaration made and ſubſcribed at Oxford, a Copy whereof was preſented to them by the late Convention of Eſtates, and from the ſaid Aſſembly now preſented in this Parliament, the tenour of the which Copy followeth:

AS it cannot bee but that all good men and loyall ſubjects are very much afflicted with the preſent lamentable and diſtracted eſtate of all his Majeſties Dominions, ſo we that are his Majeſties Subjects of the Kingdome of Scotland, have great reaſon above all other to be grieved thereat: for beſide the common reſentment that every one borne under his Majeſtie ought to have of his undeſerved ſufferings, and the evils wherewith his Kingdomes are ſo afflicted, we muſt be more peculiarly touched for the honour and reputation of that our native Countrey, that is ſo deeply wounded by the perfidious treachery of ſome of her unnaturall brood, whoſe baſe and diſloyall proceedings reflect upon the whole, as if all were the like guilty of the ſame. And no marvell that ſome be miſtaken in this point, when they conſider that all their moſt treaſonable actions are countenanced with publick authority, and ſo may ſeeme to carry along with them the approbation of all. To take off this prejudice (which in the opinion of ſome that are ſtrangers to our affairs, may lay upon the generall Body of our Kingdome) ſo many of us his Majeſties faithfull ſervants as are here preſent, think our ſelves bound for ſatisfying of the world, but eſpecially the honourable Members of both Houſes, conveened here at this time (of whoſe juſtice and wiſedome we may expect that they will diſtinguiſh betwixt Faction and Nation, and in all their reſults ſo make it appear) to emit a Declaration of our judgements concerning our proceedings in that late pretended Convention of Eſtates in Scotland. And ſince that it may be ſeen how much wee loathe and abhorre the ſame, and are reſolved never to owne any thing that hath iſſued from them as an act of any lawfull or warrantable Judicatorie: Wee doe therefore for our ſelves, and in name of all his Majeſties faithfull ſubjects of Scotland (that have in hatred and deteſtation the ſaid traiterous Convention with all that hath followed thereupon) utterly renounce and diſclaime the ſaid pretended Meeting, as preſumptuous and illegall, and called for no other end but to raiſe ſedition and rebellion in that Kingdome, with all Committees general or particular, following from the ſame, and all Ordinances and Decrees made and given therein: And particularly, eſpecially that Act concerning that traiterous and damnable Covenant, drawne up and taken between them and the Rebels here, which wee moſt heartily deteſt, and ſhall never enter therein by force, perſwaſion, or any other reſpect whatſomever; as alſo all Acts and Orders, authorizing the levying of Armies, under colour whereof, the preſent rebellious Army there is gathered together, which wee eſteeme an Act of high Treaſon, and hold our ſelves obliged by vertue of our alleadgeance, and to that Act of Pacification, to withſtand and oppoſe the ſame. Likeas wee faithfully promiſe upon our honour every one of us, to leave no meanes unattempted, to ſuppreſſe the ſaids Rebels, now in Armes againſt his Majeſtie and his Crown of England. From all the faithfull ſubjects whereof, but eſpecially the honourable Members of the two Houſes here conveened, wee will expect ſuch countenance and aſſiſtance, as wee may be the better enabled thereby to prevail againſt their & our common enemies, and whereby it may be ſeen, that they will not ſuffer the Rebels on both ſides, to go before them in this

point, and leave nothing undone in ſo bad a cauſe to ſtrengthen one another. And becauſe wee will take all ſuch of our own Countreymen as wil not joyn heartily with us in this our Declaration, and in the courſes to be taken for the proſecution thereof, for enemies both to his Majeſty and us, if for ſuch of them as are here, it were not expedient we ſhould know how to eſteem of them, The honourable Members of both Houſes may bee pleaſed to take it to their conſideration: Our deſire is, that the honourable Members of both Houſes here conveened, would joyne with us in a requeſt to his Majeſtie, That what Scottiſhman ſoever ſhall refuſe to ſet his hand to this Declaration ſubſigned by us, may not be permitted to live under his Majeſties protection, but be chaſed from among his Majeſties loyall ſubjects, as a partaker, in affection at leaſt, with the odious rebellion of both Kingdomes.

AND as the ſaid Declaration being examined by the Aſſembly, was found to be a perfidious Band, and unnaturall confederacie, to bring this Kirk and Kingdome to confuſion, and to bee full of blaſphemies againſt the late ſolemne League and Covenant of the three Kingdomes, and of vile aſperſions of Treaſon, Rebellion, and Sedition, moſt falſely and impudently imputed unto the Eſtates, and the moſt faithfull and loyall Subjects of theſe Kingdomes: So the ſaids Eſtates having re-examined the ſaid Declaration, Declare their judgement to be the ſame thereanent: And therefore, according to the recommendation of the Aſſembly, that a publick and perpetuall note of ignominie may be put upon that Declaration, Ordains the ſaid Copy thereof to be burnt at the Market-croſſe of Edinburgh by the hand of the hangman now preſently. And ſeriouſly recommends to the Commiſſion for trying and cenſuring Delinquents, the exemplar puniſhment of the ſubſcribers of that, or the like Declaration or Band, and of all ſuch as have been acceſſory to the framing, or have been or ſhall be acceſſorie to the execution thereof, according to the merit of ſo treaſonable, unnaturall, and impious ane offence. And ſicklike the ſaids Eſtates taking to their conſideration ane other Act of the ſaid Aſſembly, of the ſame date, concerning their proceedings againſt the Rebels in the North and South, Do unanimouſly approve the ſame; And according to the Aſſemblies deſire therein, as they have already cenſured and puniſhed ſome of the ſaids Rebels, ſo do they alſo earneſtly Recommend to the ſaid Commiſſion to puniſh any others who ſhal be found either principall Actors in the ſaids Rebellions, or to have joyned therein, according to the merit and degree of their delinquencie.

ACT extending former Acts anent deſignation of Manſes and Gleibs to Miniſters.

THE Eſtates of Parliament preſently conveened, 68
by vertue of the laſt Act of the laſt Parliament holden by his Majeſty & three Eſtates, in An. 1641. Gives power to every Presbytery to deſigne Manſes & Gleibs to Miniſters at every Paroch Kirk within their ſeverall bounds where they have not been at all deſigned, or not to the full quantity, or where the Manſes and Gleibs are decayed, or become unprofitable by inundation, ſanding, or any other extraordinary accident, out of Kirklands, eweſt to the Paroch Kirk, according to the order in the Act of Parliament, in the year 1593. Borrowſtoun Kirks being alwayes excepted: And Ordains Letters to paſſe thereupon in the ſame way as they paſſed upon the deſignations of Biſhops, or others, having power to deſigne. And further the Eſtates declare, where there is no Kirklands or houſes formerly belonging to Parſons, Vicars, or any other Eccleſiaſtick perſons within the Paroch, or when the ſame are mortified to Univerſities, Schooles, or Hoſpitals, it ſhall be lawfull to deſigne out of whatſomever other Lands, or out of graſſe (where there is no arable Land) moſt commodious and eweſt to the Paroch-Kirks, Manſes and Gleibs, according to the quantitie contained in the former Acts of Parliament. Which deſignations ſhall have all the freedoms and priviledges granted to Gleibs or Manſes, by any former Acts of Parliament, ſuchlike as if the ſame were here particularly expreſſed. And ordains, that the whole Heritors of the Paroch contribute proportionally for making recompence to the Heritors, out of whoſe Lands the ſaid Manſe and Gleib ſhall be taken reſpectivè, viz. Heritors of Kirklands, when Kirklands are deſigned, and the Heritors of all Lands of other holding, when the deſignation is of other Lands nor Kirk-lands. It is alwayes declared, that the Heritors of the Land or Graſſe, eweſt to the Kirk which are not Kirk-lands, ſhall have libertie to offer any other Lands or Graſſe reſpectivè, belonging to them in the Paroch to be a Gleib, the ſame being good and ſufficient Land and Graſſe, in quantity and quality, and lying within half a mile of the Kirk, or Manſe, at furtheſt: which Land or Graſſe reſpectivè ſua offered, ſhall be deſigned for the Gleib, and the other Lands or Graſſe eweſt to the Kirk, ſhall be exeemed from deſignation.

COMMISSION for the Iriſh affaires.

THE Eſtates of Parliament preſently conveened, 69
by vertue of the laſt Act of the laſt Parlament, holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering how neceſſary it is for the better regulating of the Forces imployed againſt the

Rebels in Ireland, and carrying on of the Warre there, That Committees be appointed by advice of both Kingdomes to reſide in Ireland, Doe therefore nominate and appoint the Earle of Levin Lord Generall, the Marqueſſe of Argyle, the Earles of Glencairne and Annandale, the Earle of Louthian Lievtenant-Generall, the Generall of the Artillery, and Generall Major Monro, Sir Frederick Hamiltoun, the Lairds of Lauers, Grenok, Lochnaw, Biſhoptoun, Garthland, and Auchinbreck, Colonell Hume, for Glaſgow for Air for Irwing, or any five of them, Commiſſioners from this Kingdom: With power to them to repair to Ireland, and joyne with ſuch as ſhall be appointed by the Houſes of the Parliament of England, for carrying on of the Warre in Ireland, and regulating of the Forces imployed therein, according to the Inſtructions to bee given them from both Kingdomes, or the Parliament of this Kingdom, or their Committee. And in the mean time, til the ſaid Commiſſioners be appointed by the Parliament of England, with power to them to meet and give their beſt advice, aſſiſtance, and orders, for the good, welfare, and ſubſiſtance of the Scottiſh Army and Forces joyned with them. And the Eſtates declares, That the Commiſſioners above-named in this Committee, ſhall be of the great Committee of Eſtates that reſides at Edinburgh, and ſhall have place and voyce in that Committee when they are preſent there.

ACT in favours of the Vaſſals, Creditours, and Cautioners of forfeited perſons.

70 THE Eſtates of Parliament now preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering that it is againſt all equity and reaſon, that the Vaſſalls, Cautioners, and true and reall Creditours of any perſon or perſons of whatſomever quality, that bees forfeited in this preſent Parliament, or at any time hereafter, ſhould be prejudged by the forfeiture of the ſaids perſons of their right of propertie of any Lands, Wodſets, and others holden by them of the ſaids forfeited perſons, or of the payment of their juſt Debts, and relief of their true and reall Cautionries; for payment and relief whereof, the ſaids forfeited perſons ſtands obliged: The ſaids Vaſſals, Creditours, and Cautioners reſpectivè foreſaids, not being airt, pairt, acceſſorie, nor aſſiſting to the crimes for the which the ſentence and doom of forfeiture is, or ſhall be decerned. Therefore the ſaids Eſtates findes, decernes and declares, That the Vaſſals of any perſon or perſons, of whatſomever qualitie, who are, or ſhal happen to be forfeited in this preſent Parliament, or at any time hereafter, for whatſomever cauſe, ground, or occaſion, whereupon ſentence and doom of forfeiture ſhall be given and pronounced againſt them, ſhall not bee prejudged anent their right & propertie of the Lands, Anual-rents, Wodſets, and others holden by them of the ſaids forfeited perſons; but that the ſaids Vaſſals ſhall bee in that ſame caſe and condition with theſe who comes in the right and place of the ſaids forfeited perſons, as the ſaids Vaſſals was with the ſamine forfeited perſons their ſuperiours, before the ſentence and doom of forfeiture; the ſaids Vaſſals nowayes being airt, part, acceſſory, nor aſſiſting to the ſaids forfeited perſons, in the committing of the crimes or deeds for the which the ſentence or doom of forfeiture is, or ſhall be given againſt them, as ſaid is. And alſo findes and declares, That the true Creditours and Cautioners of the ſaids forfeited perſons, or theſe who have any part of the Fynes aſſigned to them by the publick, ſhall nowayes be prejudged by the foreſaid forfeiture anent the payment to the ſaids Creditours, of their real, juſt, and true debts, owing & aſſigned to them, and anent the ſaids Cautioners their relief of their juſt and true Engagements and Cautionries: But that the ſaids Creditours and Cautioners reſpectivè, ſhall have action and execution for their payment and relief reſpectivè againſt the Lands and Eſtate of the forfeited perſons, their Debtours, ſicklike, and in the ſamine manner, as if they had not been forfeited. Providing that the ſaids Creditours and Cautioners have not beene airt, part, acceſſory nor aſſiſting to the ſaids forfeited perſons in the committing of the crimes, for the which they are, or ſhall be forfeited; with proviſion, that they be Vaſſals, Creditours and Cautioners, before the committing of the crimes, whereupon the forfeiture followes.

ACT for granting of Diſcharges to the Debtours of forfeited perſons.

THE Eſtates of Parliament preſently conveened, 71
by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering that all the ſummes of Money, due and addebted by Heritable Band or Wodſet, or moveable Band or otherwiſe, to Lodovick Lindſay, ſometime Earle of Crawfurd, Patrick Ruthven, ſometime Earle of Forth, M. James King, ſometime Lord Ythan, doe now appertain to the Publick, and are ordained to be applyed for payment of the publick debts, by vertue of the ſentence of forfeiture pronounced againſt them, upon the 26. of this inſtant. And alſo conſidering that the Debtours of the ſaid ſummes, at the time when they ſhall pay theſe ſummes to the uſe of the publick, will require back again their own Bands, or other Sureties given by them to the ſaids forfeited perſons, which will be impoſſible to be done, in reſpect that the ſaids forfeited perſons hes the ſaids Bands & other ſureties themſelves. There-

fore it is ſtatute and ordained by the Eſtates of this preſent Parliament, a Diſcharge to be granted by the Eſtates of Parliament, or by the Convention of Eſtates, or their Committees reſpectivè, to any of the Debtors of the foreſaids forfeited perſons, principal, or Cautioners, for any ſums of money which ſhal be payed by them, or any of them, to the uſe of the publick, ſhall be in all time-coming, als valid a liberation to the ſaids Debitours, and to their Lands and Heritages, wodſet for the ſaids ſummes (if any be) as if the principall Bands and other Sureties were redelivered to the ſaids Debitors and Cautioners foreſaids: And as if the ſaids forfeited perſons were denuded habili modo of the ſaids rights, ſua that it is heirby declared, That the ſaids Debitors and Cautioners ſhall never be troubled in judgement nor out-with in time-coming by the ſaids forfeited perſons, nor any other having right flowing from them for the ſummes of money forſaids. And declares the ſaids Bands and other ſecurities whatſomever, to make no faith in judgement, nor out-with the ſamine in time-coming.

ACT in favours of Burrows, anent the reparation of ruinous Houſes within Burghs.

72 FORSAMEIKLE as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in Anno 1641. Being informed, that upon the high ſtreets of ſundry of his Majeſties Burghs Royall, there are many ruinous Houſes, not inhabite diverſe years by-gane, and not likely to be repaired by any, and that in the publick view of all people reſorting to the ſaids Burghs, to the opprobrie thereof, and common ſcandall of this Kingdome, as being defective of all Policie and good order. Therefore the ſaids Eſtates Ordaines the Proveſt and Bailies of the Burgh where ſuch ruinous Houſes are, To cauſe warne and charge all perſons that hes or pretends right to the propertie of ſuch Lands and Biggings, or any Annuall-rents forth thereof, To cauſe big and repaire in ane decent way, within year and day, ſuch Houſes and Biggings as hes been ſeven years by-gane waſte and not inhabite, or elſe to ſell the ſamine to others, to be bigged within the ſamine ſpace of year and day, and to charge all known perſons, perſonally, or at their dwelling-places, and by open Proclamation at the Paroch-Kirk, or Market-croſſe of the Burgh, and all others, by open Proclamation at the ſaid Market-croſſe and Paroch-Kirk; And in caſe of their abſence out of this Realme, at the Croſſe of Edinburgh, and Peere and ſhore of Leith, upon three-ſcore dayes: With certification to them and they failzie, The ſaids Proveſt and Bailies ſhall cauſe the ſaids Lands and Tenements to bee valued by certain perſons to bee choſen and ſworne by them for that effect, and ſell the ſamine Lands to any perſon that will buy them, and pay the price of the ſamine to the Owners, if they be knowne: And if they be not knowne, to conſigne the prices thereof in the hands of the Proveſt, ane of the Bailies, or Dean of Gild of the ſaid Burgh, to be forth-coming to theſe who hes intereſt thereto. And if no man will buy them, it ſhall be lawfull to the ſaids Proveſt and Bailies, after appriſing thereof, as ſaid is, and payment or conſignation of the prices of the ſamine, to caſt down the ſaids ruinous Houſes, and cauſe big the ſamine of new. Likeas, the ſaids Eſtates Declares, That it ſhall not be lawfull in time-coming, to any manner of perſon to purſue them nor their ſucceſſors therefore, nor pretend any right or intereſt thereto in time-coming, and the ſaid right to be ane perfect ſecuritie to the builders thereof, and their ſucceſſours, ad poſsidendum in perpetuum. As alſo the ſaids Eſtates Declares, That all ſuch Houſes and Lands as ſhall lye waſte, and not inhabited the ſpace of three years together hereafter, ſhall be in like caſe.

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DISSOLUTION of the Earldom of Orkney and Ratification of the Wodſet right thereof granted by His Majeſty to the Earle of Morton under the reverſion of 30000 lib Sterlinge. 73

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DECLARATION in favours of the Town of Edinburgh thereanent. 74

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RATIFICATION in favours of Patrick Maule of Panmure [of his Infeſtment of Arbrothe.] 75

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ACT in favours of the Lord Balmerino.

AT EDINBURGHE The Tuentie ſevint day of Julij The ȝeir of god J^m vi^c ffourtie four ȝeires Anent the ſupplica^o une givin in to the Eſtaites of parliament pñtlie conveined Be vertew of þe laſt act of þe laſt parliament haldin be his Matie and the thrie eſtaites in anno 1641 · ȝeires Quhairof the tenno^r followes. To the honorable eſtaites of parliament The humble petitioun of Johne lord Balmerinoche humblie ſcheweth That quhair as I have of late beſyde my former ingadgementis in publict burdeins with vtheris / Borrowed great ſowmes of money vpone my awin private ſuretie / ffor þe whiche I pay āwelrent / and layd thame out / for þe publick vſe of þe kingdome Exceiding þe ſowme of ffourtie thowſand merkis ſcottiſch money according to the particular actis and warrandis þairof And ſieing I am now godwilling goeing into þe 76

kingdome of Inglande in obedience of your cõmands / My humble ſute is / That by ordo^r of parliament I may be repayed of þe ſaides ſowmes out of þe firſt and reddieſt moneyis that ſall be gottin in for þe vſe of þe publick. Quhilk ſupplication being read in audience of the Parliament / and the ſamen with þe deſyre þairof / taine in conſidera^tune be the Eſtaites of parliament / The ſaides Eſtaites of parliament Remittes and recõmendis To þe Cõmittie of Eſtaites To ſie the inſtructiounes of þe ſaid Johne Lord Balmerino his ſupplica^tune abone-writtin And the ſamyne being inſtructed The eſtaites of Parliament Ordeanes the lord Balmerinoche To be payed of all the ſowmes of money that ſall be fund inſtructed be þe Cõmittie of eſtaites To be reſting be þe publick to him. And that out of the firſt and reddieſt ſowmes of money Q^lkis war reſtand awand To Patrick Ruthven ſometyme erle of ſforth be any debto^r^ within þis kingdome and þair cau^r^ And q^lk^ now perteanes to the publick Be vertew of his ſoirſalto^r^ And failzieing þof Out of þe reddieſt of any vther ſowmes and moneyes perteaneing to the publick.

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77 ACT of exoneration and approbation to the Committee, appointed for trying of the Incendiaries and Plotters, and to the Kings Advocate, Proctors of Eſtate, and Clerk of that Committee.

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78 ACT in favours of the free royall Burrows, anent their ſea loſſes.

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79 Act of approbation and exoneration to the Committee, appointed for reviſing of the Regiſters, with ane warrant for delivery of the keys of the Charter-houſe in the Caſtle, To the Clerk Regiſter.

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[LETTER from the Committee with the Army]

FOR the Right Hono^ble^ The Committee of Eſtats of Scotland at Ed^r^

Right Honorable

IT is now almoſt thre monethes ſince wee have heard any thing from yor L^ps^ there howbeit wee have at all occaſions ſent yor l^ps^ an accompt of o^r^ proceidings and deſires Which conſtranes ws agane to mak this addreſſe by thir noble bearers who will more fully acquaint you with the particulares

WEE find ſo great preiudice in all o^r^ ſervices of conſequence and ſo many inconveniences in the government of the regiments by the multitude of abſent officers who contrary to thair duety ſo long deſert thair charges That wee have thought it abſolutly neceſſary for the good of the ſervice and ſtanding of the army to deſire yor L^ps^ to mak proclamation at the mercat croce of Edinburgh and all other places neidfull cõmanding all officers of what quality ſo ever to repare vnto thair ſeverall charges at or befor the fyfteint day of Auguſt nixt Efter which time it is fund that without evident Loſſe to the army the places cannot be ſuffered to vaike any longer / And who come not befor that / are not to expect to returne to thair charges And this being done wee hop yor L^ps^ will conceave it tyme efter ſeven monethes continuall ſervice to think vpon recruting the regiments heir And that yor L^ps^ may proceid with the greater cleirnes / Wee ſhall ſend yow a liſt of the dead and killed men of each regiment horſe and foote As alſo of ſuch as have not ſent out thair men in this expedition at all / that ſpeedy order may be taken by each ſhire and diviſion for recruting of thair owne regiments / and wee ſhall ſend on officer from each regiment to be ready and attend at any randevous yow ſhall appoynt in each ſhire for thair meiting who ſhall bring them vp to the army And where any regiment or troupe hes beene levyed and not put out by any ſhires They expect proportionably to have money for thair recrues And for that end alſo wee deſire yor L^ps^ to take exact tryell of any runawayes from this army and cauſe exact puniſchment to be inflicted vpon ſome of them to the terror of others and the reſt to be ſent hither Wee cannot but acquaint yor l^ps^ that no greater diſcuragment to many of our cheiff officers nor greater diſadvantage to the army can befall / then yor neglect of ſuch officers as have beene employed in Ireland and are now hazarding þair lyves here And that yow have not ſo much as thought vpon them or þair ſervice there when yow have beene diſpatching moneyes vnto þair fellow officers The inconveniences that are like to enſue heirvpon by the great and iuſt diſcontentmẽt of theſe officers and the trane of artillary and Lord gen^all^ troupe conſtranes ws to have o^r^ recourſe to yor L^ps^ in thair behalff and wee deſire that thair obedience to yor cõmand^t^ in coming hither be not a meanes to preiudge them of the fruit of thair labour there

FOR o^r^ p^nt^ condition York wes ſurrendered vpon the 16th Wee are marching toward Doncaſter for freſh quarters to o^r^ ſojo^r^ And have ſent the Lord Humby to London partly for the rep^n^ting the neceſſityes of the army and providing for them and partly to learne the parlia^t^ advice anent the future diſpoſall of thir forces and from ws to deſire the parla^t^ to be more ſedulous in the ſatling of maters of religion the only cauſe of o^r^ coming this

lenth This is the account of o^r pñt condition and desires Whervnto and vnto all the particulars formerly rep̃nted And especially anent the observeing of a regiment for o^r Leivtenent gen̄all A pñt and satisfactory ans^r is expected by

Yo^r Lps humble servants

York 19th LINDESAY I P D

July 1644

27. Julij 1644.

Ꝑduced be my Lo: Chancello^r ⁊ Red in audience of þe par^t ⁊ Remitted to þe Cōmitty of Estaitts

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SUPPLICATION of Sr Alex^r Gibson of Durie kny^t Clerk Register Remitted to the Committee of Estates

AT EDINBURGH The Twentie sevint day of Julij The ȝeir of god J^m vj^c fourtie fowre yeeres ANENT the supplicatioune given in to the Estates of Parliament now presentlie conveened be vertew of the last act of the last Parliament haldin be his Matie and the three estates in anno 1641. Quhairoff the tennor ffollowes Vnto the Right hono^tt The Noblemen Comissioneris of Barronis and burrowes pñtlie conveened in this heighe cowrte of Parliament Humblie sheweth I yor servito^r Sr Alex^r Gibsone of durie kny^t Clerke register That Quhere in the last expeditione made into England in āno 1640 I wes Generall cōmiss^r to the army / Collonell of the regiement of the Guaird / and captane of the Company of the Colledge of Justice / and exerced all the saidis places during the tyme of that service Wherein I did behave myself with suche chearfull affectione / that I spaired no paines to my bodie nor expenss to my Estate / bot hartilie ingadged all my best endeavo^rꝭ for advauncement of the good cause and glorious worke then in hand / wherin I remitt my selff to ȝo^r hono^rꝭ owne knowledge and to the testimonie of all these that were then present AND now Seing efter foure yeeres examinatioune of all accomptis the same are now fully fitted and ane dischairge grantit to these subcomiss^rꝭ who vnder me did intromett with the haill money and proviant (it being of veritie that I did never actuallie intromett with any thing my selff bot be my deputtis who have Compted) and that I have nether received approbatione and exoneratioune for my service nor ȝit allowance and pey for my saidis places which drew me to great expenss lyeing ȝit heavielie vpone my estate as I am able to qualifie HEIRFORE I humblie intreate this honorable hous of Parliament to take suche course heirin as they sall think expedient That I may have exoneratione ⁊ approbatione of my service with suche pay allowance and recompence for all my saidꝭ places as yor hono^rꝭ shall pleas to appoynt And yor hono^rꝭ anser humblie I beseik QUHILK Supplicatioune being red in audience of the parliament and the samyne with the desyre thairoff hard and considdered THE ESTATES of Parliament REMITTIS and Recomendis the abonewrittin supplicatioune and merittes thairoff To the Comittie of the Estates of Parliament With power to thame to grant exoneratioune approbatioune and peyment of bygane arreires To the said Lord Register supplicant As the Comittie sall think fitting And als with power to the comittie to considder giff the supplicant shall have any recompence And to determine what the samyne shall be as the Cōmittie shall think expedient

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XXIX JULII.

RATIFICATION and Commission for the Excise, anent the collecting thereof.

THE Estates of Parliament presently conveened, by vertue of the last Act of the last Parliament, holden by his Majestie and the three Estates at Edinburgh, in Anno 1641. Having taken to their serious consideration the course and way laid down by the Convention of Estates for raising and uplifting of Moneyes by way of Excise, for supply and relief of the necessities of the Armies raised and sent forth by this Kingdome, for Reformation and Defence of Religion; Together with the Acts made and set down by the said Convention of Estates and their Committee thereanent: And after mature deliberation, finding the same to be the most just and equall way, least prejudiciall to this Kingdome, for raising and uplifting of Moneys, for supply and relief of the Armies, and for defraying of the publick Debts and Burdens contracted for that end:

THEREFORE the saids Estates of Parliament now conveened, Have ratified, allowed, and approven, And by the tenor hereof Ratific, allow, and approve, the Act made and set down by the said Convention of Estates for imposing and laying on of the said Excise, to be up-lifted off the particular Goods and Commodities contained in the Table annexed thereto: With the Acts and Ordinances made and set down by the Committee of Estates anent the Regulating and up-lifting of the said Excise; Together with all others Acts and Ordinances made and set down by the said Convention of Estates and their Committee, or by the Commissioners for the Excise concerning the foresaid Excise, and the in-gathering and up-lifting thereof. And the saids Estates of Parliament Ordain the foresaids Acts and Ordinances, and every one of them, To have the full force of an Act of Parliament: Except allanerly in so farre as the samine are hereby altered and changed, In manner after mentioned: Of the which Act made and set down for imposing and laying on of the said Excise, and Acts for Regulating thereof, The tenor followeth.

AT EDINBURGH 31. January 1644.

THE Convention of Eſtates conſidering that this Kingdome having entred into a ſolemne League and Covenant, for Reformation and Defence of Religion, the Honour and Happineſſe of the Kings Majeſtie, and the Peace and Liberty of the Kingdomes of Scotland, England, and Ireland: and in purſuance of theſe ends, being forced to levie an Army to be ſent into England: and that by the ſaid Covenant they are bound in Conſcience, Dutie, and for their owne Safety, To contribute their beſt endeavours in providing of ſome means for preſervation of Religion, Lawes and Liberties, from utter ruine; for reliefe of the neceſsities of the Armie ſent from this Kingdome for that purpoſe; and for ſome ſupply of the extreme wants of the Scots Army in Ireland. And alſo remembring that the great burdens of this Kingdome have hitherto lyne upon the well-affected, who did willingly embrace the ſame, whiles the Malignants were uſing all cunning wayes, both to free themſelves, and hinder others, Do finde it abſolutely neceſſar, that ſome conſtant, juſt, and equall way, leaſt prejudiciall to the Kingdome, and moſt beneficiall to the Cauſe in hand, be reſolved upon, for ſettling a ſolide foundation of a ſtock of credit and ſecuritie, whereupon ſummes of Money may be raiſed for the preſent ſupply, and future relief of the neceſsities of theſe Armies: And after ſerious deliberation have agreed, that the ſame ſhall be by way of Exciſe.

AND accordingly Statutes and Ordains, that the ſeverall Rates hereunto annexed, ſhall be laid on all and every the Commodities following, over and above all Cuſtomes, and other duties due and payable for the ſame: And recommends to the Committee of Eſtates, To take ſome courſe how this Exciſe may moſt ſpeedily, and with leaſt trouble and expence to the Kingdome, be up-lifted throw the Shires and Burrows thereof.

THE Roll of the particular Commodities ſubject in payment of Exciſe, and of the Rates laid thereon.

ON every pinte of Ale and ſmall Beer ſold, to be paid by the Brewer or maker therof, and to be allowed to him in the price, or which any Houſe-keeper breweth for his owne ſpending, to be paid by every ſuch Houſe-keeper, Foure penies.

Beer or Ale exported for proviſion of Ships is to pay no Exciſe.

On forrain imported Beer every pint, Twelve penies.

On every pint of ſtrong Beer to be paid ſiclike by the Brewer, or Houſe-keeper, Six penies.

On every pint of French wine already imported, or to be imported, to be paid by the firſt buyer thereof (the buyer being a Vintner) after the ſale of the ſame: Providing it ſell before Lambmes next, Or by the Buyer for private uſe, immediatly after the buying, One ſhilling foure penies.

On every pint of Spaniſh wine, in like manner, Two ſhillings eight penies.

On every pint of Aquavitæ or ſtrong waters ſold within the countrey, Two ſhillings eight penies.

On every pound of Tabacco, Six ſhillings.

On every ſlaughtered Oxen, Bull, or Kine, of ſixteen pound price, or above, to be paid by the buyer or ſlayer, Twenty ſhillings.

And on every one of them under that price, Thirteen ſhillings four pennies.

On all Oxen, Buls, or Kine tranſported, to be paid by the tranſporter for the peece, Twenty four ſhillings.

On all Sheep ſlaughtered or tranſported, at or above Fourty ſhillings price, to be payed by the ſlayer or tranſporter, Four ſhillings.

And under that price, Two ſhillings.

On all ſlaughter Stirks of eight pounds price or above, Six ſhillings eight penies.

Sicklike on every ſuch Stirke beneath that price, Four ſhillings.

On all calfes or goats of Fourty ſhillings price the peece or above, ſold, or for private uſe, Four ſhillings.

On each of them under that price, Two ſhillings.

On all Swine, Six ſhillings.

On all Lambs and Kids, Two ſhillings.

On the Merchandize of every elne of ſilk ſtuffe from five merks value to ten, to be paid by the buyer, Six ſhillings eight penies.

On every elne thereof above ten merks, Ten ſhillings.

On every elne of pluſh or panvelvet, Twenty ſhillings.

On every elne of ſattin, Thirteen ſhillings four penies.

On every ounce of gold or ſilver lace, Thirteen ſhillings four penies.

On every elne of gold or ſilver cloth, Three pounds.

On every bever hat, Twenty four ſhillings.

On every half bever hat, Twelve ſhillings.

On every pair of ſilk ſtockins, Thirteen ſhillings four pennies.

On every elne of broad cloth, not exceeding ſeven pounds Retailed, Six ſhillings.

On every elne of cloth exceeding that price, Twelve ſhillings.

On each elne of narrow cloth, ſerges, and other worſet or hair ſtuffs imported, at or above Fourty ſhillings the elne, Two ſhillings.

On the elne of baiſe or freezes, at or above Thirty ſhillings the eln, Twelve penies.

On all cambricke, lawne, or holland cloth, for the value of every twenty ſhillings, Twelve penies.
On every elne of imported perline of threed or ſilk betwixt three and ſix pounds, Twelve ſhillings.
On the elne betwixt ſix and twelve pound, and ſo forth proportionably, Twenty four ſhillings.
On coale exported in Scots or Engliſh bottoms of the value of twelve pounds, Six ſhillings.
On all coal of the ſame value, exported in forrain bottoms, Twelve ſhillings.
On every twelve pound value of all kinde of made-worke brought home, Thirteen ſhillings four penies.
All manner of work made within the Kingdome to be free of Exciſe.

THIS Exciſe to begin upon the 10. day of February nixt to come; And to endure onely ſo long as the neceſſity of the Army ſhall require, and at the fartheſt but for ane yeere: And if the Parliament at their next meeting ſhall in place hereof finde out and appoint a better and more expedit way to provide money for ſupplying of the Armies, and paying the proviſion made to them in the interim, then this way of Exciſe is to ceaſe.

AND it is hereby declared, That the remainder of the brotherly aſſiſtance, The arrears due to the Armie in Ireland, And what ſhall be due for maintenance of this Army, and all other ſummes addebted to this Kingdom by the Kingdom of England being paid, and therewith all publick debts and burdens of this Kingdome, with what ſhall bee due to the Armies being defrayed, The remainder thereof over and above this defrayment, ſhall be imployed for repayment of the Exciſe, in manner following, viz. What ever ſhall be the proportion of the Exciſe gotten within the Town of Edinburgh, and Liberties thereof, The equall halfe of the ſame ſhall be repayed to the Magiſtrates and Town Councel for behoof of the ſaid Town. And every other Burgh ſhall have repetition of the twa part of the proportion of Exciſe furniſht by them. And the remainder not allowed to the Burghs in manner foreſaid, ſhall be given proportionable for the publick uſe of the ſeverall Shires, according to the quantity of Exciſe paid by them.

AT EDINBURGH, 15. February 1644.

FORSAMEIKLE as the Eſtates of this Kingdome finding it neceſſary that ſome means ſhould be provided for ſettling a Stock of credit or ſecurity, whereupon Moneys may be raiſed for ſupplying the neceſſities of the Armies ſent from this Kingdome into England and Ireland, did by their Act of the laſt of January unanimouſly agree and Ordaine, that the ſame ſhould be by way of Exciſe, and recommended to the Committee of Eſtates to take the beſt way how the ſame might bee moſt ſpeedily and with leaſt expence managed and uplifted: And the Committee of Eſtates having taken the ſame to their conſideration, they have thought fit, and accordingly concluded and agreed upon the Acts following, as moſt conducing to the better regulating and up-lifting of the Moneys to be raiſed on this Exciſe: And Ordaines the ſame to be Printed, and publiſhed at the Market-Croſſes and Pariſh-Kirks of the Kingdom, wherethrough none pretend ignorance of the ſame:

Of which Acts the Tenor follows.

THE Committee of Eſtates think fit, that for the better ordering of this Exciſe there ſhould be a Commiſſion ſettled to have the charge thereof; And for that purpoſe nominate and appoint John Earle of Lauderdale, John Lord Balmerinoch, and Robert Lord Burghlie, Sir Patrick Hammiltoun, Sir Michael Balfoure of Denmylne, Maſter James Reid of Pitlethie, Sir John Smith Proveſt of Edinburgh, John Semple Proveſt of Dumbartan, and James Stuart Merchant in Edinburgh, or any three of them, and the Lord Chancellour to be ſupernumerarie, to bee Commiſſioners of Exciſe; With power to them to governe the whole Office of Exciſe, To make Acts and Conſtitutions for the better regulating thereof, and the more ſpeedie uplifting of moneys to be raiſed thereupon, and to ſee the ſame put in execution: With power alſo to them, To nominate, appoint, cenſure, or diſplace, as they ſhall finde occaſion, all ſubordinate Officers, as Collectors, Surveyers, Keepers of the Regiſters of Entries and Accounts, and all other ſubſervient Officers: and at their Entries to take their oathes and ſuretie for the faithfull diſcharge of their Offices, and to allow them ſuch yearly and proportionable allowances for their paines, as they with approbation of the Committee of Eſtates ſhall think fitting.

AS alſo with power to them, To call to an account, als oft as they ſhall think fitting, the Theſaurer of Exciſe, Collectors, Surveyers, and others Intrometters; And to keep in record all the moneyes and Entries that ſhall come into the Office, to be repreſented by them to the Eſtates or their Committees, as the ſame ſhall be called for: And generally with power to them to do every thing that may tend for the right regulating of this Exciſe, and to give their oathes de fideli adminiſtratione. This Commiſſion to endure ay and while it be recalled by the Eſtates or their Committees, to whom the Commiſſioners are to be anſwerable for their proceedings.

LIKEAS the Committee of Eſtates nominates and appoints to be Theſaurer of this Exciſe, With power to him and his ſervant or under-Receiver, for whom he ſhall be anſwerable, to receive the whole Moneyes of Exciſe Theſaurer.

from all the Collectors thereof, and to disburſe the ſame as he ſhall receive warrant from the Eſtates or their Committees, without whoſe warrant he is to disburſe nothing, except the ordinary allowances, and other incident neceſſaries belonging to the Office, as hee ſhall bee warranted by the Commiſſioners of Exciſe: And the Theſaurer is hereby appointed to make and deliver a faithfull and true account of all Receipts and Disburſements to the Commiſſioners or Quorum thereof monethly, or oftner, as he ſhall be required by the Eſtates or their Committees, and ſhall give his oath and finde caution for the faithfull account and diſcharge of his Office.

IT is alſo ordained, That there be a Regiſter belonging to the Office, who ſhall keep a book, wherein are to be inſert all the receipts of moneyes raiſed upon this Exciſe (being allowed by the Commiſſioners) according as the ſame ſhal be given up by the ſeveral Collectors in Burghs and other places in the Countrey. Wherein alſo are to bee inſert the names and ſurnames of the Collectors thereof, and of the ſeverall places and Pariſhes whereout-of theſe ſummes were collected, with the date of the deliverie thereof to the Theſaurer. As alſo all Extracts that the Surveyers ſhal take out of any note or Book belonging to the Cuſtome-houſes, and entries to be made by the Surveyers of exciſeable Goods, remaining in Cellars, Store-houſes, or any other places or houſes of any perſons that ſells, buyes, or ſpends any of theſe Commodities.

AND this is to bee without prejudice of the Office of Clerk to the Exciſe and his Deputes, who are to minute and frame all Acts and Warrants that comes before the Commiſſioners, or iſſueth from them, and keep a Regiſter thereof, write Miſſives, and do every other thing incumbent to the Office of a Clerk.

Collectors. THE Collectors are to receive and leavie money of all exciſeable Goods, within the bounds appointed to them: And to receive from the Surveyers of theſe bounds, the Inventar of exciſeable Commodities, conforme to the Survey: or they themſelves may enquire and take up the Exciſe, as they ſhall think beſt for the Service. The Collectors of the Shires of Edinburgh, Lithgow, Haddintoun, Berwick, Roxburgh, Peebles, Lanerick, Stirling, Perth, Fyffe, Forfar, Clakmannan, and Kinroſſe, ſhall the ſecond Tueſday of March next, come to the Office of Exciſe, and bring in the Exciſe money payed the moneth before; they ſhall enter the ſame in the book of Office, and then by warrant deliver them to the Theſaurer. Upon the ſecond Tueſday of April, the Collectors of the Shires of Renfrew, Dumbartan, Argyle, Tarbet, Bute, Air, Dumfreis, Stuartrie of Kircudbright, Wigtoun, Kincardin, Aberdene, and Bamff, ſhal do the like ſince the tenth of February. And upon the ſecond Tueſday of May, the Collectors of the Shires of Murray, Innerneſſe, Nairne, Sutherland, Cromartie, Caithneſſe, Orknay, and Zetland, ſhall do the like ſince the Tenth of February laſt. And the Collectors are to do every other thing as they ſhall be warranted by the Commiſſioners.

Surveyers. THE Surveyers are hereby authorized and warranted, To enter the Cuſtome-houſes, ſearch, view, examine, take Copies of any Cuſtome and Impoſt-book belonging thereto; As alſo to enter the Sellers, Store-houſes, Brew-houſes, or any other houſes or places belonging to any perſons, that ſels, buyes, or ſpends any of the ſaids Commodities lyable to Exciſe: And to take Inventar thereof for the Collectors uſe, in levying the Exciſe-money. They are alſo to performe this Service, as they ſhall be commanded by the Commiſſioners.

Subſervient officers. THE Subſervient Officers are hereby authorized with power, To make ſearch for un-exciſed Goods, and of all thoſe who ſhall refuſe to make true entrie of their exciſeable Commodities: And to ſummond offenders before the Commiſſioners: And to do any other thing competent to ſuch Offices, as they ſhall bee warranted by the Commiſſioners.

Ale and Beer. AND that their Officers may the more readily performe their ſeverall charges, and the Exciſe-money be timeouſly lifted; It is ſtatute and ordained, That all Importers, or Brewers of Beer to Burgh or Land, for ſale, or private uſe within this Kingdome, ſhall weekly deliver to the Collector of Exciſe, or Surveyer, a true and perfect Liſt of the Beer weekly brewed, or imported by them, as ſaid is: And that they pay the Exciſe to the Collector weekly, and the Brewer for private uſe monethly: And both are to give up an accompt, and make payment, as aforeſaid, under the pain of forfeit of the double of the Beer concealed; Beſide, that the Brewer or Importer for ſale, ſhall be diſcharged his Trade for a year thereafter: And this failzie to be proven by any lawfull manner of probation.

AND it is declared, That the Exciſe of Ale and Wine ſhall be uplifted, according to the ſeverall Rates in the Table of Exciſe, allowing to every Boll of brewed Malt, containing foure Furlots of prickmet, within the Kingdome, fifteen Gallons of Ale; and to every Tunne of Wine ſixtie [foure] Gallons. And it is ordained, That the buyer of Ale, Beer, or any other Merchandiſe exciſeable and retailed, ſhall notwithſtanding of the truſt of the ſtock, bee obliged to pay the Exciſe in ready money.

IT is ordained, That all Malt-men in Burgh or Land, ſhall keep a Book, wherein ſhall be inſert all the Bols of Malt made by them, and the names of all the Buyers thereof, with the quantity ſold to

every perſon, and what quantity they brew themſelves, and which Book or double thereof, the ſaid Malt-man ſhall deliver under his hand to the Office of Exciſe, Collectors, or Surveyers, when he ſhall be required; and failing herein, hee ſhall confiſcate all his Malt concealed and not given up, as ſaid is.

LIKEWISE it is ordained, That all Millers ſhall declare and give up to the Collectors and Surveyers as they ſhall be required, of all the Malt ground at their ſeverall and reſpective Milnes every week, under all higheſt pain, and as they will be anſwerable to the Commiſſioners of Exciſe.

WHEREAS a great quantity of Malt is uſually tranſported to the far High-lands; It is ordained, That the buyers and tranſporters ſhal pay the Exciſe to the ſellers thereof, notwithſtanding they buy the ſame upon truſt, and take a Ticket of payment of the Exciſe, which being produced to the Collector or Surveyer where they live, ſhall be freed of the Exciſe; otherwiſe ſhall pay the Exciſe, and forfeit the whole Malt concealed.

Wine. IT is alſo ordained, That the Cuſtome and Impoſt-books, be made patent to the Surveyers, or other Officers of Exciſe, who are ordained to take a note of the ſame, and of the Wines entred therein: Beſides, That the Merchant-Venturers or Owners, ſhall be obliged to declare to whom they have ſold the ſame, Vintner or other perſon whatſoever; and what they ſell for private uſe, that the firſt Seller or Importer ſhall be lyable for the Exciſe thereof, which is to be payed in by the Buyer for private uſe to them before the delivery thereof, notwithſtanding the Wine it ſelf is taken upon truſt. And for ſuch Wines as the Merchant-Venturer hath before this time ſold and delivered for private uſe, It is ordained, That the buyer or receiver ſhall be obliged to give up an accompt thereof to the Collector or Surveyer of the Exciſe, and pay the Exciſe thereof; As alſo that the Vintner give up a weekly accompt to the Collector or Surveyer what they ſell, and pay Exciſe accordingly: Wherein if either the buyer of Wine for private uſe, or or the Vintner ſhall failgie, they are to forfeit the double avail of the Wine, concealed and not payed for: Beſides, That the Vintner ſhall be diſcharged ſale of Wine for a year. And this failgie to be proven as of before.

Aquavitæ and ſtrong Waters. THAT all makers and ſellers of Strong-waters and Aquavitæ, give up a true Inventar under their hands to the Office of Exciſe, or to the Collectors and Surveyers of the bounds where they dwel, as they ſhal be required, of all the Strong-waters and Aquavitæ made by them before it be ſold, & after it is ſold, give up a liſt of the firſt buyers thereof, with the quantitie ſold to every perſon; to the effect the Exciſe may be tried and payed to the Publick. And it is declared, That the maker or ſeller of the ſaids Strong-waters, ſhall pay the Exciſe after they be ſold, and take the Exciſe from the firſt buyer. And if the maker or ſeller failgie to give the ſaid Inventar or Liſt, or if the ſamine ſhall be improven according to the Laws of the Countrey, the ſaid maker or ſeller ſhall forfeit the value of the [ſaids] Strong-waters ſo concealed and improven. Likeas the firſt buyers of Strong-waters for ſale, ſhall give an accompt of all the Strong-waters and Aquavitæ lying in their hands as yet unſold, and of what they have ſold, after the tenth of February inſtant, to the Collectors or Surveyers within their bounds: To the intent what is ſold after the ſaid day, may pay Exciſe, and failing herein, to forfeit the value of the waters not-compted and Exciſed. And the maker or ſeller paying the Exciſe, ſhall give a ticket to every other ſeller of the ſaid Strong-waters, teſtifying that the Exciſe is payed; and whoſo ſhall not inſtruct the payment of Exciſe by the ticket foreſaid, ſhall be lyable in payment of the Exciſe, and forfeit the value of the Waters not exciſed.

Merchant Wares. AND whereas it is the cuſtome of all Merchant Ware exciſed, That at the receiving of their Goods, they make Entrie to the Office of Exciſe, and pay the Exciſe before they retaile the ſame: Or otherwayes that the Surveyers enter their Shops, Warehouſes, or ſuch other places where their Goods may be apprehended, and take oaths for help and qualification, and confiſcate the double of what is concealed for the firſt fault; Yet notwithſtanding, for the eaſe and better accommodating the Merchants Traders with Exciſed Goods in this Kingdome; It is ordained, that the Retailers and Sellers of Goods chargeable with Exciſe, ſhall monethly give in to the Commiſſioners of Exciſe, or any having their warrant, a Book ſubſcribed by their hands, containing a note and an accompt of all the ſeverall Goods and Commodities Exciſeable and ſold by them within that moneth, with the dayes of the moneth, and perſons names to whom they were ſold, and pay the Exciſe accordingly. And the failgie or omiſſion herein, to be the triple of the price of the Commodities omitted or concealed, and to be proven as aforeſaid.

AND it is ordained, That all Exciſeable Commodities that are bought by a Shop-keeper or Retailer from another, the firſt Retailer or Shop-keeper is lyable in payment of the Exciſe. Alſo whatſoever Commodities are bought by others then Shop-keepers, for private uſe from the Importer, the Importer or firſt Seller is liable for Exciſe. And whatſoever Commodities are bought from any Importer, by any other Burges in any other Burghs, or by any Merchant that keepes Booth, the firſt buyer from the Importer payes the Exciſe in the place where he lives. And therefore it is hereby declared, that the firſt

Importer is onely liable to pay the Excife of thofe Goods he fels to any that have no refidence within Burgh, or Chapmen that have no conftant refidence, but travels with his Pack thorow the Countrey. And therefore upon the Importers certifieat of the firft payment of Excife, thefe parties are free.

Fleſhes. IT is alfo ordained, That the Deacons of Fleſhers within Burgh, or any Flefher elfwhere, fhall give up the names of all the Maſters of their Calling, and the names of all thofe that prefenteth Fleſhes to be fold in Markets: And that every Maſter fhall give up the names of all their Servants and Slayers; And that the Fleſhers and Slayers of Oxen, Buls, or any flaughtered Goods, mentioned in the Table of Excife, in Edinburgh, Leith, Cannongate, or Liberties thereof, Potterraw, Weſtport, or Pleafance, fhall compeir on Monday of every week before the Commiffioners of Excife, beginning the fourth Munday of February, the 26. day of the Moneth: Bringing with them a Lift of all the flaughtered and fold Goods from the tenth of February, to the intent they may pay the Excife thereof; And failing of compeirance or paying the Excife, they fhall forfeit the price of each Beaft concealed, toties quoties; And failing thereof, fhall be impriſoned, till they make payment of all by-gone Excifes and forfeitures unpayed: as alfo finde caution for their appearance, and paying of Excifes and forfeits they fhall incurre in tyme-coming, and be difcharged of that Calling during the pleafure of the Commiffioners of Excife.

IT is alfo ordained, That every Porter, or any other that fhal be appointed within Burgh, fhall keep a Book, to be given in under their fubfcription and declaration to the Commiffioners, wherein fhall be infert the number and feverall kindes of all excifable Beafts, both flaughtered and unflaughtered, that entereth within the Ports thereof, with the names of the perſons to whofe behoof thofe Beafts are brought in. And the faid Porter, or other appointed, fhall receive the Excife of the flaughtered Goods from the in-bringer thereof, not fhewing a ticket from the Surveyer, that it is already payed; otherwayes he fhall take the Excife, and give a ticket to warrant him at all other Surveyers hands, and deliver the fame to the Collector. And whofoever buyeth Skinnes or Hides of flaughtered Goods within Burgh, fhall keepe a Booke to be given in under his fubfcription and declaration, wherein fhall be infert the names of the Fleſhers, and Sellers of the Skinnes and Hides within the faids Burghs, that the more exact triall may be had of all the flaughtered Goods therein, left the Publick be defrauded of the benefit of the fame. And if the faids Buyers of Skinne and Hide neglect to bring in this Book monethly, and oftner, as they fhall be required, they fhall forfeit all the Skinnes they have coft and not given up; and this concealment to be proven, ut fupra: and the like or any other courſe fhall be taken by the Commiffioners for the reft of the Kingdome in Burgh or Land. The Excife of Fleſhes is to be payed by the Slayer or Flefher for fale; And ficklike by any that have of their own, whether payed by their Tenants, or of their own pleniſhing.

Tobacco. TOUCHING Tobacco, It is ordained, that all the Cuſtome and Impoſt Books bee patent to the Office of Excife, or to the Collectors and Surveyers, to the intent an entry may bee knowne for the Excife; And that all Skippers, Mariners, and owners of Tobacco, are obliged before they put out any Goods out of their Ships and Veſſels, to make a true entry thereof under their ſubſcription, and upon declaration, under the pain of confifcation of what is concealed. And that they give up an Inventar of all the Tobacco Imported in their ſhips or veſſels, with the names of the Owners thereof; and that no takſman ſhal take entry of other Goods, till the whole Tobacco be entred: to the effect it being fold, the Excife may be payed to the Publick, for which the Owners fhall be lyable; and ſhal keep a Book, which under their hand-writing, and upon declaration, they fhall produce to the Commiffioners, Collectors, or Surveyers, as they fhall be required; in which Book fhall bee infert the names and ſir-names of all the buyers, with the quantity bought by every one.

AND it is ordained, That the firſt ſeller of Tobacco ſhall give a ticket to every buyer, ſhewing the Excife thereof payed to the Publick: And if the buyer cannot inſtruct payment of the Excife by this ticket; he is to be lyable in payment of the Excife by and attour the confifcation of his Tobacco.

And for tryall of all Tobacco already imported, and yet unſold within the Kingdome; It is ordained, that Shop-keepers, Taverners, Ale-ſellers, or other ſellers of Tobacco whatſoever, ſhal be obliged to give a true Inventar and accompt of all the Tobacco lying in their hands, or what they have ſold, after the tenth of February, to the office of Excife, or to the Collectors and Surveyers within the bounds where they dwell: Which if they delay, till ſearch and triall be made thereof, they ſhall be lyable to the double of the Excife by and attour the confifcation of the Tobacco. And it is ordained that all Skippers, Mariners, or Owners of Tobacco, when they make entry of the ſame, ſhall finde caution to make payment of the Excife after the ſale thereof.

Coal tranſported. IT is ordained, That all Coale-Maſters bee obliged to cauſe their Grieves at the loadning of any Ship, or other Veſſell with Coale, to be tranſported out of the Kingdome, keep a Book, wherein ſhall be infert the juſt price of the loadning of the ſaid Ship or Veſſell, with the name of the Ship, Maſter, or

Skipper, and date of loadning, which book or double thereof, he ſhal give up under his hand-writing to the Collector or Surveyer, the firſt Tueſday of every moneth, beginning the firſt Tueſday of March next to come, for the Exciſe payable after the tenth of February before: As alſo the Maſter and Owner of the Coale, ſhall upon his honour and credit ſubſcribe the Book foreſaid, that it is juſt and right to their beſt knowledge. And failing of the giving up of the ſaid Inventar, and paying of the Exciſe thereof, the Maſter and Owner of the Coale ſhall pay the triple of the concealed Coale.

Beſtiall tranſported.

IT is ordained, That all Takſmen of the Cuſtoms on the Borders, for the Beſtiall driven into England, ſhall keep a book, and give in the ſame under their ſubſcription and true declaration to the office of Exciſe, wherein ſhal be inſert the number and ſeveral kind of beaſts, with the names of the Drovers, and dayes of the moneth when they paſſe; and ſhal be comptable for the Exciſe thereof foure times in the year and oftner, as they ſhall be required. And failing of their compearance, compting and paying, ſhal forfeit the triple of the Exciſe foreſaid.

Ale and Beer tranſported.

IT is ſtatute and ordained, That no Brewers, ſellers of Ale or Beer, give any Beer or Ale to Skippers for proviſion of their Ships, before the Skipper deliver to them a Warrant and Licence for the quantity of the ſame from the Collector or Surveyor within the bounds where they load their Ships, or (in their abſence) of the Magiſtrate of the bounds, to the intent they take in no more Beer nor Ale under that pretext, nor may be judged ſufficient for the voyage. And in caſe of the deliverie of any Beer or Ale, without the Warrant foreſaid, the ſaids Brewers or Sellers ſhall pay the double of the Exciſe of all Beer and Ale, ſo without Warrant delivered by them.

Made work imported, which is the explanation of the penult Act contained within the printed Table of Exciſe.

IT is ordained, That all kinde of made Work, brought home and ſold, viz. Braſſe-Chandlers, Spurres, Bridle-bits, Stirrop-irons, Horſe-combs, Knives, mounted-Swords above ten marks, or Guards above the ſame price. All manner of Saddles, Saddle and Horſe-graith, Goldſmith-Work of all ſorts of Plate, Rings, Jewels ſet or unſet. All forreine Pewter, hangins, Tapeſtrie, mounted-Beds, Stools, Chairs, Cuſhions, Carpets, Blankets, Rugs, Coverings, Feather-beds, Cods, Bowſters, Quilts, Trunks, Chamber-ſtools, Hat-caſes, Caves, Cabinets, and Cloak-bags, Gloves, and Purſes of all kinde. All made Work of Holland, Cambrick, Lawn, Tiffanie plain or laced, Needle or Cut-Work, Muffs, Fannes, Feathers, Pokes, Embroidered Caps and Slippers or with Lace, drinking Glaſſes, wrought Petticots, and Waſcots, Clocks, Watches, and Munters, Boots and Shooes, ſhal bee given up by the Merchants-ſellers thereof, under ſubſcription and declaration to the Commiſſioners, Collectors, or Surveyors, and pay the Exciſe thereof for every twelve pound value 13. ſhillings 4. pence: And failing of giving up, or paying the Exciſe, to forfeit the worth of the Goods concealed.

THE Committee of Eſtates, Ordains the Commiſſioners of every Pariſh, and Collectors of the bounds joyntly, to appoint the Surveyors, to take ſufficient caution of them, and adminiſter to them the oath for faithfull adminiſtration. And the Surveyor ſhal give in their weekly or monethly accompts to the Commiſſioners of every Pariſh, who ſhal ſubſcribe the ſame joyntly with the Surveyor, and upon their credit and honour, to their beſt knowledge, teſtifie the truth of the ſaids accompts; to the intent there may be a true charge to the Collectors of Exciſe: And alſo that the Collectors ſhall give in the double of the Surveyors book ſo ſubſcribed, with their own books, under their hands and declaration to the Commiſſioners, that the accompts of moneys therein contained are juſt and true.

IF any perſon or perſons, lyable in payment of Exciſe, ſhall refuſe, conceale, or neglect to pay the ſame, according to the rates contained in the table of Exciſe, or do any thing contrary thereto, the ſame being proven before the Commiſſioners, they ſhall forfeit the triple of the value of the Goods or Commodities ſo by him concealed or not payed: And the Commiſſioners hath hereby power to give order for poynding the readieſt of the offenders Goods, and commit them to priſon till they pay the forfeit; And that the Informer ſhal have payed him from the Theſaurer, which ſhall be allowed him, the third part of any forfeits that ſhall accreſſe by his information. And it is ordained, that all confiſcate goods, fines, forfeits, and penalties, taken by the Collectors or Surveyors, or other Officers, ſhall be payed to the office of Exciſe, with the Exciſe moneys payable by them, the ſame confiſcate goods and penalties being inſert in a booke, with the names of whom they were taken, and for what cauſes; which book they ſhall give in to the office under their hand, and upon declaration, allowing the third part to the Informer, as is aforeſaid.

THE Commiſſioners of Exciſe have hereby power and authority to call before them any perſon or perſons they ſhall think fit, to enforme and teſtifie touching all and every one of the ſaids ordinances in the Exciſe, and to examine any perſons upon oath for the better diſcoverie of any fraud or neglect in the not entring of any commodities to be entred, or not paying the Exciſe, conforme to the ordinances made thereanent; Which oath the Commiſſioners, or any they ſhall appoint by their hand-writings, ſhall have power to adminiſter, and the teſtimony of two credible witneſſes to be ſufficient in that behalfe.

IT is hereby ordained, That all Commiſſioners, Theſaurers, Clerks, Regiſters, Collectors, Surveyors, or other Officers of Exciſe, and all other perſon or perſons who ſhall do any thing in execution or performance of any ordinance of the ſaid office, ſhall be therein from time to time protected and ſaved harmleſſe, by the power and authority of the Eſtates and their Committees.

LIKE as all Proveſts and Bailies within Burghs, Sheriffs, Stewarts, Bailies, Conſtables, and their deputes, and other Magiſtrates to Burgh and Land, and all Colonels and Committees of War in the Kingdome, for the time, are hereby commanded and ordained to be aiding and aſſiſting to the ſaids Commiſſioners and Officers of Exciſe, and every one of them, in the execution of their ſeverall offices and articles therein contained: and that they have a ſpeciall care that the Exciſe of Beer and Ale, Wines, Fleſhes, and other things, be duly payed, and the refuſers puniſhed, according to the Statutes in that behalfe made: And hereby they faile not, as they will be anſwerable to the Eſtates, or their Committees.

AND albeit by the foreſaid Act made and ſet downe by the Convention of Eſtates, the ſaid Exciſe is onely appointed to endure for the ſpace of a yeare after the tenth day of February laſt by-paſt; Yet in reſpect the publick debts and burdens of this Kingdome are increaſed, and daily increaſing, not onely by ſupplying of the neceſſities of the Armies firſt ſent to England and Ireland, but alſo by raiſing and maintaining of new Armies for reſiſting of the late Invaſion on the South Borders, and ſuppreſſing of the inſurrection in the North; The ſaids Eſtates of Parliament do hereby declare, ſtatute, and ordain, That the foreſaid Exciſe, and the collecting and up-lifting thereof, ſhal now begin upon the firſt day of Auguſt next to come, in this inſtant yeare of God 1644. years, and ſhall continue and endure untill the firſt day of Auguſt thereafter in the year of God 1645. years. And what-ever Exciſe is already uplifted or exacted for Ale, Beer, Wine, or any other Commoditie whatſoever contained in the Table of Exciſe, by the Collectors, Brewers, Vintners, Fleſhers, Merchants, or any others perſons whatſoever, ſince the tenth day of March laſt by-paſt: The ſaids Eſtates of Parliament ordaine the ſame to be uplifted, collected, and payed to the Theſaurer of Exciſe for the uſe of the Publicke.

AND the ſaids Eſtates of Parliament, Declare, ſtatute, and ordaine, That the Exciſe of the Ale and Beer ſhall be payed by the Brewer, either for ſale or private uſe, according to the rate of foure pennies for ilk pinte of Ale and Beer ſtrong and ſmall over-head, counting and allowing fifteen gallons for ilk Boll of Malt brewed in Ale, and twenty gallons for ilk Boll of Malt brewed in Beere ſtrong and ſmall over-head; And the Brewer for ſale, for his reliefe, ſhall exact from the buyer for ilk pinte of Ale or ſtrong Beer four pennies, and for ilk pinte of ſmall Beer two pennies.

ITEM, The ſaids Eſtates of Parliament declare and ordain, That Beer and Ale for proviſion of Ships ſhall no wayes be freed and eximed from payment of Exciſe, but ſhall be lyable and ſubject in payment thereof, notwithſtanding of the exemption contained in the Act and Table of Exciſe; which exemption is hereby diſcharged.

ITEM, The ſaids Eſtates of Parliament diſcharges hereby all Vintners of Wine to exact hereafter the Exciſe of any French Wine already imported; And ſtatutes and ordains, That the new French Wine to be hereafter imported, ſhall be lyable and ſubject in payment of a full years Exciſe. And ordaines the Exciſe of the Spaniſh Wine to ſtand and bee uplifted and exacted from the ſaid firſt day of Auguſt next to come, during the ſpace above-written.

ITEM, The ſaids Eſtates of Parliament for eaſe to the Merchants doe hereby declare, That the Merchant Wares brought home before the firſt day of March laſt by-paſt, ſhall onely be lyable in payment of the halfe of the Exciſe thereof contained in the Table, after the ſelling of the ſame, To be cleared by the Merchants declaration upon oath.

AND the ſaids Eſtates of Parliament, finding it neceſſary that a Commiſſion be given to ſome able perſons, who may have the ordering of every thing concerning the ſaid Exciſe, and the ſpeedy uplifting thereof; Have nominate and appointed, and hereby nominate and appoint, John Earle of Lauderdaile, John Lord Balmerinoch, Robert Lord Burleigh, George Lord Forreſter, Patrick Lord Elibank, Sir John Hope of Craighall, Sir Patrick Hammiltoun of Preſtoun, Sir Gilbert Ramſay of Balmaine, Sir Michael Balfoure of Deanmylne, Maſter James Reid of Pittlethie, Sir John Smith Proveſt of Edinburgh, John Semple Proveſt of Dumbartan, James Stuart, John Binnie, and Laurence Henderſon Merchants Burgeſſes of Edinburgh, and John Earle of Lowdoun, High Chancellour of Scotland, to be ſupernumerarie in this Commiſsion, or any three of them, to bee Commiſſioners for the Exciſe. And the ſaids Eſtates of Parliament have given and granted, and hereby give and grant, full power and warrant to the ſaids Commiſsioners, or any three of them, as ſaid is, to governe the Office of Exciſe, and to nominate and appoint Collectors, Surveyers, and others under-Officers; And to make and ſet downe all ſuch Acts and Ordinances as they ſhall finde neceſſary

and expedient for the ſpeedy up-lifting of the ſaid Exciſe, and to ſee the ſame put to execution. And alſo to call before them all perſons whatſoever, who ſhall happen to violate or tranſgreſſe any of the Acts and Ordinances made or to bee made and ſet downe anent the Exciſe, or who ſhall happen to doe or offer any wrong or injurie to the Collectors, Surveyers, Meſſengers of Armes, or any others perſons, who are or ſhall bee imployed in the Exciſe, and to cenſure and puniſh them as their fault deſerves. With power alſo to the ſaids Commiſsioners, To grant and direct forth Letters of Horning upon ſo many dayes as they ſhall think expedient, poynding, caption, and all others Letters and Executorials neceſſary and requiſite for the ſpeedy ingathering and uplifting of the ſaid Exciſe; And for fulfilling of all Acts and Ordinances made or to be made thereanent: And alſo for fulfilling of the bands given or to be given by the Collectors and their Cautioners: And for charging of all perſons who are or ſhall bee nominate Collectors, Surveyers, and Commiſſioners of Pariſhes, to accept the Office, finde caution, conforme to the order, and diſcharge their duty therein. And in like manner with power to the ſaids Commiſsioners, To grant ſuſpenſions upon good reaſons of the charges of Horning, to bee uſed for payment of the Exciſe: and to decide and diſcuſſe the ſaids ſuſpenſions, and alſo to diſcuſſe, decide, and determine all Actions, Queſtions, and Controverſies, that may ariſe betwixt party and party, or betwixt any party and the Collectors or Surveyors anent the Exciſe, and to pronounce decreet and ſentence therein, and direct Letters of Horning, Poynding, and others Letters neceſſary and requiſite thereupon. And ficklike with power to the ſaids Commiſsioners, or any three of them, as ſaid is, To modifie and allow to the Collectors, Surveyers, and others under-Officers, ſuch reaſonable Fees and Allowances for their paines and ſervice, as they, with approbation of the Committee of Eſtates, ſhall think fit. And generally with power to the ſaids Commiſſioners, to doe and performe every thing, concerning the right ordering of the Exciſe, and ſpeedy up-lifting thereof.

AND the ſaids Eſtates of Parliament doe hereby ſtatute and ordain, That the Elders of every Pariſh in Landward, and the Magiſtrates of the Royall Burrows, ilke one within their own bounds reſpectivè, ſhal nominate and appoint Surveyers, and two honeſt men within ilke Pariſh, and ilke Burgh, who ſhall bee Commiſſioners, to ſubſcribe the Collectors and Surveyers compts, and atteſt the truth thereof, according to their beſt knowledge. And it is declared and ordained, That the Roll to be ſubſcribed by the Collector and Surveyer, and by the Commiſſioners for the Pariſhes, ſhall bee a ground for the charge of Horning, to be given to any perſon for payment of the Exciſe; And alſo ſhall be a ground for the Collectors charge at the making of his Accompts. And if any perſon ſhall finde himſelf hurt by the ſaid Roll, hee ſhall give up a Roll himſelf to the Surveyer and Commiſsioners, of his exciſeable goods and commodities, under the pain of confiſcation of the triple of the value of the goods concealed. And ordains Letters of Horning to be direct by the ſaids Commiſsioners for the Exciſe, to charge the Elders of ilke Pariſh in Landward, and the Magiſtrates of ilke Burgh, to nominate and appoint the ſaids Surveyers and Commiſsioners, and being nominate, to charge the Surveyers and Commiſsioners, to accept the Office in and upon them, give their Oath, De fideli adminiſtratione, before the ſaids Elders and Magiſtrates reſpectivè, and diſcharge their dutie therein, under the paine of Horning: And in caſe of failzie, to denounce, &c.

AND the ſaids Eſtates of Parliament do hereby declare, ſtatute, and ordaine, That the generall Letters of Horning, already direct, or to be direct forth by the ſaids Commiſsioners, for payment of the Exciſe, being execute againſt any perſon whatſoever, liable and ſubject in payment of Exciſe, either perſonally, or at his dwelling-place, and denunciation following thereupon for diſobedience of the charge, The ſaid Horning, notwithſtanding of the generality of the Letters, ſhall be als valid, effectuall, and ſufficient, as any other Horning whatſoever.

AND ficklike the ſaids Eſtates of Parliament doe hereby give full power and warrant to the Collectors, to poynd for the double of the Exciſe, if any perſon ſhall refuſe to pay the ſame thankfully before the expiring of the dayes of the charge to bee given for payment thereof: And declares, That it ſhall not be neceſſary to take the goods and geir to be poynded to the Market-croſſe of the head Burgh of the Shire, or other juriſdiction within the which they are poynded, but only to appriſe the ſame upon the ground, which ſhall be ſufficient in this caſe.

AND the ſaids Eſtates of Parliament doe hereby declare, ſtatute, and ordaine, That whoſoever ſhall refuſe to pay the Exciſe thankfully and duely in time-coming, ſhall bee lyable and ſubject in payment of all by-gones, ſince the ſaid tenth day of March laſt bypaſt.

AND the ſaids Eſtates of Parliament doe hereby command and ordaine all Sheriffes, Stewarts, Baillies, Proveſts and Baillies of Burrowes, Colonels, and Committees of Warre; And all others Judges, Magiſtrates, and Officers whatſoever; And all Maſters and others whom it concernes, To give their beſt concurrence and aſſiſtance to the ſaids Commiſſioners, Collectors, Surveyers, and others Officers of Exciſe, in every thing that may tend to the furtherance of this ſervice, and ſpeedie up-lifting of the ſaid Exciſe, and putting of the Acts and Ordinances, made or to be made thereanent, to due execution,

as they and every one of them will be anſwerable to the Eſtates of Parliament and their Committees. And the Eſtates declares this Commiſſion to be ſubordinate to the Committee of the Eſtates of Parliament, and but prejudice to the Clerk of Regiſter of the nomination and placing of the Clerk of this Commiſſion.

ACT renewing the Commiſsion for conſerving of the Peace betuix both Kingdomes.

81 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Renewes the Commiſſion granted by his Majeſtie and Eſtates of Parliament in the ſaid laſt Seſsion of the laſt Parliament in Anno 1641. For conſerving of the Articles of the Treatie of Peace betwixt the Kingdomes of Scotland and England, To the whole remanent Commiſsioners therein mentioned (except theſe who are not Covenanters) And adds to the former number John Earle of Caſsils to be one of the ſaid Commiſsion, with that Power, Priviledge, and Libertie, as if he had been inſert in the ſaid Commiſsion from the beginning; And ordains the ſame Commiſsion to ſtand in full force and ſtrength, conforme to the Tenor thereof, to the whole remanent Commiſsioners therein contained, and to the ſaid Earle of Caſsils now added thereto, except before excepted.

ACT in favours of lamed Souldiers.

82 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in Anno 1641. For encouraging of theſe who has gone out, or ſhall goe out in the Expeditions and Armies levied by the Eſtates for the good Cauſe, and for purſuing of the Enemies thereof, to goe on in that Publick Service; Statutes and Ordaines, That all ſuch Souldiers that has or ſhall willingly go out in the Publick Service forefaid, and are, or ſhall happen to bee ſo hurt and wounded in the Defence of the Publicke Cauſe, or in purſuing the Enemies thereof, that they are thereby diſabled from their ordinary employments, and working in their ſeverall Callings and Crafts, and has no other meanes of maintenance for themſelves, ſhall bee maintained upon the Publicke charges, in ſuch competent way and manner, as the Eſtates of Parliament, Convention of Eſtates, or their Committees, ſhall thinke fitting, after triall and conſideration of their hurts and wounds, and of the manner of the getting thereof, and of the diſabling of the ſaids Souldiers from the exerciſe of their Crafts and Callings; And for further aſſurance hereanent, The Eſtates of Parliament interpones and gives the Publicke Faith of the Kingdome to the effect above-ſpecified.

ACT anent the payment and relief of Loan and Taxt.

THE Eſtates of Parliament preſently conveened, 83
by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering, that the payment of the Loan and Taxt, and other Impoſitions for the publick ſervice, payable out of theſe Lands and Teinds which are diſponed in proper Wodſet by the Heritors thereof to the Receivers of the ſamine Wodſets under reverſion, may be hindered and delayed upon thir doubts and Queries, viz. Whether the Receivers of the Wodſets ſhould relieve the Heritors of the Loan, Taxt, and other Impoſitions for the publick ſervice, or not: 2. Whether or not the Receivers of the proper Wodſets (having ſet the Lands in tak to ane third perſon as Tennant without conſent or mention of the Heritors, granters of the Wodſet, their names in the taks) the Tennant ought to retain in the firſt end of his duty, the Loan, Taxt, and other charges payed out by the Tennant, for theſe Lands, for Horſe, Foot, and Ammunition, to the uſe of the Publicke: 3. Queritur, (the Tennants being obliged in their taks to relieve the Receivers of the proper Wodſets, granters of the ſaids taks, of all Taxations and Impoſitions to be impoſed upon the Wodſet Lands) Whether or not that generall obligement to relieve the Wodſetter of all Taxations and Impoſitions, ought to inferre againſt the Tennants ſo obliged relief to the Wodſetters of the Loan, Taxt, and other publick Impoſitions. The Eſtates of Parliament for clearing hereof findes and declares, That the Receivers of the forefaids proper Wodſets, who are either actuall poſſeſſors themſelves of the Lands and Teinds wodſet to them, or has ſet the ſamin to Tennants, who poſſeſſes by taks or rights from them, Ought and ſhould relieve the Heritors, granters of the ſaids Wodſets, of all Loans, Taxations, and other Impoſitions for the publick ſervice, except it be otherwayes provided by the contract of Wodſet. And als findes and declares, That the Tennants of theſe proper wodſet Lands ought to have retention of the Loane, Taxt, and other Impoſitions payed out by them for theſe Lands for the uſe of the Publick, in the firſt end of the Duties thereof. And ſiclike the ſaids Eſtates findes and declares, That albeit the Tennants be obliged by their taks to relieve the Receivers of the Wodſets, granters of the ſamin Taks, of all Taxations and Impoſitions to be impoſed upon the ſaids wodſet Lands, yet that generall obligement ſhall not inferre reliefe by the Tennants to the Wodſetters of the payment of the Loan impoſed upon the ſaids Lands for the uſe of the Publick, but onely reliefe of other Impoſitions and Taxations, ſeeing the Loane is to be repayed to the Wodſetter, granter of the taks.

ACT anent Decreits before Lion King at Armes, and Letters thereupon.

84 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering that the Act of Parliament made at Perth in the Moneth of July 1606. cap. 10. it was then ſtatute and ordained in all time-coming, That all Decreets given by Sheriffs, Commiſſars, Bailies of Regalities, Bailies of Bailiaries and Stewartries, ſhould paſſe and have execution of Horning upon ten dayes warning, as at more length is contained in the ſaid Act, wherein there was the time of the paſsing thereof omitted, and not expreſſed therein, the Decreets to be given by Lion King at Armes againſt Heralds and Meſſengers, and others his Purſevants; Which being a neceſſary Judicatorie in it ſelfe, and of its owne nature importing ſummer execution, Therefore the ſaids eſtates of this preſent Parliament, conſidering the neceſſitie thereof, Ordaines, for the greater furtherance and better execution of juſtice to all his Majeſties Lieges, and eſchewing of the ſuperfluous and unneceſſary charges which they ſuſtained by obtaining Decreits conforme (upon the Decreits obtained before the ſaid Lion King at Armes, againſt Heralds and Meſſengers, and others his Purſevants) That the like Letters and execution of Horning be direct and granted by the Lords of Seſſion upon all Acts, Decreits, and Sentences of the ſaid Lyon King at Armes, againſt Heralds, Meſſengers, and others his Purſevants, as are granted and direct upon Decreits, Acts, and Sentences of the ſaids Sheriffs, Commiſſars, Stewarts, and Bailies, conform to the ſaid Act of Parliament made thereanent, and after the form and tenor of the ſamin in all points.

ACT declaring ſummes due by Heritable Bands to be arreſtable where no infeftment hath followed.

85 THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Being ſenſible of the great charges and expences that juſt and lawfull Creditors are put to in ſeeking payment of their true debts, by compriſing of the ſummes owing to their Debtors by heretable Bands, Contracts, and others Writs, bearing payment of annuall-rent for the ſamine ſummes, which in reſpect of the obligement for annual-rent are not arreſtable, and thereby the Creditors put to the charges of compriſing thereof, as ſaid is; And herewith alſo being carefull to remeid the famine; The ſaids Eſtates findes and declares, That all ſummes of money which are addebted by Bands, Contracts, and other perſonall obligements, whereupon no infeftment has followed or proceeded, are, and ſhall be arreſtable at the inſtance of any Creditor of that perſon or perſons to whom the ſamine ſummes are addebted or due to be payed, and that thereupon the ſamin ſummes ſo arreſted may bee purſued and fought to be made forth-command to the Creditors arreſters thereof, for payment of their juſt debts, conforme to their ſeverall rights, arreſtments, and diligences to be uſed thereupon; Notwithſtanding that the Bands, contracts, and other obligements whereby the ſaids arreſted ſums are addebted and due, bear payment of annuallrent for the ſamine ſums, as ſaid is. And the Eſtates declares, That this is onely to be extended in favours of the juſt and lawfull creditors of the perſons to whom the ſaids ſums are addebted, for the more ſummar and better payment of the ſaids creditors their lawfull debts, and no wayes to change the nature of the ſaids ſums, nor to prejudge the heir nor any other perſon their rights to the ſamine ſums, as being heretable; Which are hereby declared to remaine in their own nature and condition unchanged hereby pro ut de jure; except that onely the ſamine are arreſtable at the inſtance of lawfull creditors, in manner and to the effect above ſpecified, and no other wayes.

ACT Salvo Jure Cujuſlibet.

THE Eſtates of Parliament preſently conveened, 86
by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering that in this preſent Seſſion of Parliament there are many particular Acts, and Acts of Ratification made in favours of particular perſons, which may be prejudiciall to the parties having intereſt, and not heard, albeit the meaning of the Eſtates be at this time as it was ever in all preceding Parliaments, that by no particular Act, or Act of Ratification granted to any particular perſon, any other parties ſhould be hurt or prejudged of their lawfull rights and defences competent to them of the Law; For remeid whereof, It is ſtatute and ordained, That no Ratification, nor other particular Act whatſoever, made in favours of any particular perſon in this preſent Seſſion of Parliament, be prejudiciall to any other parties rights or defences, competent to them of the law, but that the ſaid particular Acts, and Acts of Ratification made in favours of particular perſons, be alwayes underſtood Salvo jure cujuſlibet.

ACT continuing the Parliament to the firſt Tueſday of January next 1645. years, and declaring the Parliament current to that day.

THE Eſtates of Parliament preſently conveened, 87
by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in Anno 1641. Continues this preſent Parliament, and all Summonds, Proces, Matters, and Actions belong-

ing thereto, while the firſt Tueſday of January next to come, at the which day, or ſooner, as the Committee of Eſtates or Quorum thereof ſhall appoint, Ordaines the whole Eſtates to be preſent, and to attend at Edinburgh, or where it ſhall happen the ſamin to be holden for the time. And in the meane time the Eſtates declares this preſent Parliament current to the day foreſaid, And ordains the whole Acts and Statutes made and concluded in this Seſſion of Parliament to ſtand and have the force and ſtrength of Lawes and Acts of Parliament, conforme to the tenors thereof, ſiclike as any Acts and Statutes of any preceding Parliaments in any time by-gone. And als the ſaids Eſtates of Parliament ordaines the Lords of Seſſion and whole members thereof, to conveen and ſit for adminiſtration of juſtice, at the ordinary Times and Dyets appointed, notwithſtanding of the ſitting of the Parliament, within any of the times appointed for ſitting of the Seſſion, whereanent the ſaids Eſtates by thir preſents diſpences. And the Eſtates ordaines the Clerks of Seſſion to give out Continuations to the Lieges upon all ſuch Summonds, whereof the dayes of Compeirance are by-paſt, within the times appointed for ſitting of the Seſſion, albeit the Seſſion doe not ſit, ſicklike and in the ſamine manner as if the Seſſion were ſitting; And ordaines publick proclamation to be made hereof at the Market Croſſe of Edinburgh by ſound of Trumpet.

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INSTRUCTIONS added be þe Estates of Parliament to the former instructions alreadie given to the Cõmiſsionars that goes to England 29 July 1644

1. YOW ſhall inſiſt and deale with the Parliaᵗ of England or Cõmittie of both kingdomes for ane Cõmiſsion to the Erle of Levin as Generall and in his abſence to the Leivtenent Generall and Generall Major To cõmand in cheefe the whole forces in Ireland both Scottiſh and Brittiſhe

2. FOR ane wther Commiſsion to Sʳ Williame Balfour and in his abſence to Colonell George Monroe or ſuch persons as ſhall be aggreed wnto be þe Cõmittie of both kingdomes To have þe command of all þe Troupes of horſe that ar to Joyne with the Scottiſh Armie in Ireland

3. YOW ſhall inſiſt with the Parliament of England That ane warrand and ordor be past be þe Parliament of England enjoyning the Brittiſhe in Ireland to ſubſcribe þe Covenant

4. YOW ſhall be cairfull at yoʳ beſt opportunitie to proſecut þe declaration and act made and granted be the parliament of Scotland in favours of James Duke of Hamilton and the other peers and frie ſubjects of this kingdome

5. YOW ſhall inſiſt and deale with his Maᵗⁱᵉ that the Erle of Lindeſay his gift of the office and place of high Theſaurer Comptroller Collector and Treaſurer of the new augmentations q'of he hes new Cõmiſsion from the Estates to the nixt triennall Parliament During his liftyme

6. YOW ſhall be cairfull at yoʳ beſt opportunitie to proſequute the delyverance granted be the parliament of Scotland In favors of the Erle of Dumfermling wpon his Supplication for the Erles exoneration of the aſperſions putt upon him vnjustly /

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REFERENCE to the Committee of Eſtates anent the Act of Parliament for putting of the Countrey in ane poſture of Warre. 88

. . . . . .

RATIFICATION in favours of Thomas Cunninghame of his Commiſſions. 89

. . . . . .

COMMISSION for the Exchequer. 90

. . . . . .

REFERENCE to the Committee of Eſtates for nomination of ane delegate Committee for the Proceſſes. 91

. . . . . .

COMMISSION for trying of the L. of Geicht, Maynes, and Torrarie. 92

. . . . . .

APPROBATION to the Procurators and Agent for the State. 93

. . . . . .

DECREET of forfeiture againſt William Maxwell of Midelkeltoun. 94

. . . . . .

COMMISSION of Juſticiary in favors of [William] Earl of Morton for [Orknay and Zetland.] 95

. . . . . .

ACT in favours of the Inhabitants in Caithnes. 96

. . . . . .

97 RATIFICATION in favours of Doctour Colvill.

. . . . . .

98 RATIFICATION in favours of the Lord Melvill.

. . . . . .

PROTESTATION for the Fewars of Lethem there-againſt.

. . . . . .

99 RATIFICATION in favours of the Laird of Craigmillar.

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100 RATIFICATION in favours of John Earl of Lindſay, now Earl of Crawfurd.

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101 RATIFICATION to John Campbel of Ardchattan.

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102 RATIFICATION to the Earle of Calendar.

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103 *RATIFICATION of Generall Major Bailies Penſion.*

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104 RATIFICATION to the Kings Printer.

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105 RATIFICATION in favours of the Town of Edinburgh.

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RATIFICAOUN In favoris of þe Toune of Edinburt of þe mortificaoun grantit to thame off þe Biſchoprikis of orkney and Edr and deanrie of Edr

106 AT EDINBURGHE The Twentie nynt day of Julii the yeir of god Jm vjc and fourtie foure yeiris THE ESTAITTIS of this parliament Convenid be warrand of þe laſt act of þe laſt parliament hauldin in anno Jm vjc fourtie ane yeiris Vnderſtanding That his Majeſtie Be his lres of tak vnder his privie ſeall of the dait þe ſecund day of ſeptember Jm vjc fourtie ane yeiris Sett in tak and aſſedaoune to his Majeſteis ſervitour Robert Leſly brother to patrik Lord Lyndoiris his airis and aſſigneyis all and haill the landis rentis ſuperioriteis proffeittis dewteis caſualiteis fortaliceis caſtellt touris manſß houſß Tyndis ffiſcheingis reverſiounes Juriſdictiounes priviledgis Imuniteis and all vther dewteis and benefeit whatſumeuir qlk belongit to þe lait biſchope of Orkney or whilk heirefter ſall be fund to belong to him as biſchope of that biſchoprik And that for þe ſpace of Tua nynetene yeiris nixt efter his entrie þairto quhilk began for the Cropt Jm vjc fourtie ane yeiris wt findrie priviledgis and liberteis particularlie and generallie thairin menonat ffor þe yeirlie payment to his Majeſtie and his ſucceſſoris of þe ſowme of Aught Thowſand merkis money of this realme in name of tak dewtie Beginand the firſt tmes payment thairof at þe feiſt and tme of Whitſunday Jm vjc fourtie tua yeiris As the ſaidis lres of tak of þe dait abonewrittin at mair lenthe proportis Lyke as thair was ane warrand ſuperſeryveit be his Majeſtie vnder his hienes ſignet direct to his Majeſteis Theſaureris principall deputie and remanent ꝓmiſſionart of his hienes exchekker of this realme of þe dait the ſecund day of ſeptember Jm vjc fourtie ane yeiris ffor allowing to þe ſaid Robert Leſly of ane penſioune of Tua hundrethe pound ſterling payabill to him furthe of þe exchekker of Ingland and that out of the tak dewtie abonewrittin of the ſaid biſchoprik To be detenit be him and his foreſaidis in thair awin handis dureing þe yeiris and ſpace of the ſaid tak · Whilkis lre of tak and warrand foreſaid ar bothe ratifeit be his Majeſtie with advyis of þe eſtaittis of þe ſaid parliament haldin at edinburt vpoun þe ſevintene day of november the yeir of god Jm vjc fourtie ane geiris be ane ſpeciall act maid þairanent AND SICLYIK The ſaidis eſtaittis Vnderſtanding That thair wes ane Chartor and infeftment maid and grantit be his Majeſtie wt conſent of his hienes Cōmiſſionaris thairinſpecifeit for his Matie Theſaurarie Comptrollarie collectorie and theſaurarie of his hienes new augmentaounes of this realme conſtitut be his Majeſtie wt conſent of the eſtaittis of þe ſaid laſt parliament and of his hienes deputie in þe foreſaidis officeis thair in nominat and of þe remanent Cōmiſſioneris of his Majeſteis exchekker vnder his hienes great ſeall of þe dait at Halyrudhous the Tent day of November the ſaid yeir Jm vjc fourtie ane yeiris Whairby his Majeſtie with conſent foreſaid Geave grantit diſponit ffoundit mortifeit and Confmit To the Proveiſt Bailleis Counſall and Cōmunitie of þe burghe of edinburghe and thair ſucceſſoris for þe vſe help and ſupplie of þe mantenance of the miniſteris of the ſaid burghe All and findrie The few maillis fewfermes few dewteis kaynes cuſtomes teyndis and vtheris whatſumeuer qlkis laitlie pertenit to þe ſaid biſchoprik of orkney ſpiritualitie and Temporalitie thairof and Contenit in the Renewit fundatioune of þe ſamene maid be his Ma-

jeſteis vmq^{ll} darreſt father of bliſſit memorie be vertew of ane Cōmiſſioune grantit in the parliament haldine at Ed^{r} in þe monethe of october J^{m} vj^{c} and tuell yeiris and whairof the biſchopes of orkney wer in poſſeſſioun efter the ſaid renewit fundatioune Togidder w^{t} the maillis dewteis Teyndis and teynd dewteis of þe landis and kirkis foundit and mortefeit to þe deanrie of edinbur^{t} thairin men^{o}nat As also w^{t} þe richt of patronage of Sanct cuthbertis kirk lyand vnder þe caſtell wall of edinbur^{t} vpoun the quhilk chartor ſaiſing hes followit in favoris of þe ſaidis proveiſt bailleis Counſall and Cōmunitie of the ſaid burghe of edinbur^{t} As in the ſaid chartor and ſaſing following theirvpoune at mair lenthe is contenid Lykeas the richt of þe foreſaid tak maid be his Matie to þe ſaid robert leſly and his foreſaidis and warrand grantit be his Matie To the ſaidis Cōmiſſioneris of his hienes exchekker of this realme and of the penſioune abonewrittin thairincontenid and of the ſaid act of parliament Ratefeand þe ſamene tak and warrand Is aſſignit be þe ſaid Robert Leſly To and in favoris of þe ſaidis proveiſt bailleis counſall and cōmunitie of þe ſaid bur^{t} of Edinbur^{t} and thair ſucceſſoris / As in þe aſſigna^{o}un maid thairanent of the dait the ellevint day of Maij J^{m} vj^{c} fourtie tua yeiris at mair lenthe is contenit AND LYKEWAYIS Thair was ane ſignatur ſuperſcryveit be his Matie and dockit be þe erll of Lanerk his Majeſteis ſecretar of þe dait at Jork the Tuentie tua day of may the ſaid yeir J^{m} vj^{c} fourtie tua yeiris Ordaneing ane Chartor to be maid vnder þe great ſeall Ratefeing the foreſaidis lres of tak his Majeſteis Warrand direct to þe ſaidis Cōmiſſioneris of exchekker Ratifica^{o}un of þe ſamene in parliament and aſſigna^{o}un thairof abone men^{o}nat With the foreſaid Chartor vnder þe great ſeall in all poyntis Conteining ane New gift To and in favoris of þe ſaids proveiſt baillies Counſall and Cōmunitie of þe ſaid burghe of edinburghe and thair ſucceſſoris for þe vſe help and ſupplie of the mantenance of þe miniſteris of þe ſaid burghe Off all and findrie the foreſaidis haill landis teyndis kirkis patronages ſuperioriteis offices of ſhreſſchip bailliarie Cōmiſſariat Cōmiſſer clerkſchip and vther offices Whatſumeuer w^{t} þe priviledge and Juriſdictioune of regalitie Juſticiarie and vtheris priveledgis and Juriſdictiounes whatſumeuer few maillis few fermes vther maill^{ℓ} f^{o}mes kaynes cuſtomes caſualiteis fruittis rentis proffeittis and Cōmoditeis whatſomeuer qlkis pertenit to þe ſaid lait biſchoprick of orkney ſpiritualitie or Temporalitie thairof and contenit in þe renewit fundatioune of þe ſamene abonemen^{o}nat As þe ſaid ſignature of þe dait abonewrittin at mair lenthe proportis LYIKAS Be ane chartor grantit be his Majeſtie w^{t} conſent foreſaid vnder þe great ſeall of þe dait þe laſt day of ſeptember the ſaid yeir J^{m} vj^{c} fourtie ane yeiris Certane few maillis few fermes teyndis and vtheris thairin ſpecifeit qlkis pertenit To þe lait biſchoprik of edinbur^{t} and alſe the advoca^{o}unes donatiounes and richtis of patronage of þe kirkis of halyrudhous and leythe on the northe ſyid of þe brig thairof Ar diſponit & mortifeit To þe ſaidis proveiſt bailleis Counſall & Cōmunitie of the ſaid burghe of edinburghe and thair foreſaidis for þe helpe and ſupplie of þe mantenance of King James Colledge ſituat within the ſaid bur^{t} of edinbur^{t} conforme to þe whilk chartor and precept of ſeſing following thairvpoune The ſaidis proveiſt bailleis Counſall and Cōmunitie of the ſaid burghe ar duelie and laufullie infeft and ſaiſit thairintill As the ſaid charter precept and inſtrument of ſaſing following thairvpoune at lenthe beir^{ℓ} AND THE ESTAITTIS of this p̃t parliament taking to thair conſidera^{o}une That þe richtis and ſecuriteis foreſaidis wer purcheſt and procured be þe ſaidis proveiſt and bailleis Counſall and Cōmunitie of þe ſaid burghe of edinbur^{t} In favo^{r} of thame ſelffis and thair^{ℓ} abonemen^{o}nat be payment and advanceing of great ſowmes of money and that over and abone the great and large expenſ^{e} and ſowmes of money laitlie wairit and deburſit be þe ſaidis proveiſt bailleis Counſall and Cōmunitie of þe ſaid burghe of edinbur^{t} and be the burgeſſ^{e} and inhabitantis þ^{r}of in repairing of þe auld kirkis of þe ſamene and biging of new kirkis within þe ſaid burghe and citie and in repairing building and inlargeing of the foreſaid Colledge THAIRFORE and to Incurage thame heirefter to go on and proceid in theſe and þe lyik guid and pious workis tending to þe glorie of god Incres of learneing and advancement of the trew religioun and Cōmodious promulga^{o}un of þe goſpell within þe ſaid Citie The ſaidis Eſtaittis of this p̃t parliament be thir p̃t^{ℓ} *RATIFIE APPROVE* and conferme The Richtis and ſecuriteis abonemen^{o}nat maid to and in favo^{r} of þe ſaidis proveſt baillies Counſall and Cōmunitie of þe ſaid bur^{t} of ed^{r} and thair ſucceſſoris foreſaid^{ℓ} To the pious vſes rexiue abone ſpecifeit off the landis teyndis kirkis patronages ſuperioriteis offices priviledges Juriſdictiounes Rentis caſualiteis and vtheris abonemen^{o}nat q^{lkis} pertenit to þe ſaidis lait biſchoprikis of Orkney and ed^{r} rexue And ſpeciallie the foreſaid ſignature ſuperſcryveit be his Majeſtie for expeding In favoris of the ſaidis proveiſt baillies Counſall and Cōmunitie of the ſaid burghe of ed^{r} and thair foreſaids Off the ſaid infeftment of Mortifica^{o}un of þe kirk^{ℓ} teyndis and v^{r}^{ℓ} abonemen^{o}nat thairintenid whilk belongit to þe ſaid lait biſchoprik of orkney for þe vſe help and ſupplie of the mantenance of the miniſteris of þe ſaid burghe AND in lykemaner The foreſaid Charter grantit to þe ſaidis proveiſt bailleis Counſall and Cōmunitie of þe ſamene bur^{t} and thair^{ℓ} abonemen^{o}nat q^{lkis} pertenit to þe ſaid lait biſchoprik of Ed^{r} for þe help and ſupplie of þe mantenance of þe foreſaid Colledge w^{t} þe precept of ſaſing following and inſtrument of ſaiſing following vpon þe ſamene IN ALL

POINTIS contenit in þe ſaidis ſignature Charter and vþ^r^ꝛ richtis and ſecuriteis rex̃ue abonemen^o^nat / And ordanis this Ratifica^o^une þ^r^of To be alſe valeid and ſufficient As gif þe ſamene wer word be word inſ^r^t heirintill And ffarder ordanis þe foreſaid Signature q^lk^ is ſuperſcryveit be his Majeſties hand as ſaid is To be paſt in Exchekker and the Lordis þairof To expeid the ſamene Speciallie Inreſpect that þe ſaid ſignature wes preſentit to be exped in Exchekker before þe granting of ony vþ^r^ ſignature of þe landis and vþ^r^ꝛ aboneſpeciſeit þ^r^in ꝯtenid or ony part þ^r^of To ony vther perſone and before þe preſenting of ony vþ^r^ꝛ ꝑſones ſignature of þe ſamene

PROTESTATION James Gibſon againſt the Town of Edinburghs Ratification of the Biſhoprick of Orkney.

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107 RATIFICATION in favours of the Town of Kirkaldie.

. . . . . .

108 RATIFICATION to the Earle of Rothes of his Penſion.

. . . . . .

109 RATIFICATION to Colonel Alex. Hammiltoun, Generall of the Artillery.

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110 RATIFICATION in favours of George Strang.

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111 RATIFICATION in favours of the Lord Theſaurer Depute.

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112 RATIFICATION in favours of James Levingſtoun.

. . . . . .

113 RATIFICATION to Sir John Ruthven.

. . . . . .

114 RATIFICATION to the Earle of Hume.

RATIFICATION to the L. of Glennegies. 115

. . . . . .

RATIFICATION to Sir James Hope. 116

. . . . . .

RATIFICATION to Sir John Douglas. 117

. . . . . .

RATIFICATION to the Marques of Argyle. 118

. . . . . .

RATIFICATION to the Lord Chancellour. 119

. . . . . .

RATIFICATION to the Lord Levingſtoun. 120

. . . . . .

RATIFICATION to Sir Archbald Johnſtoun. 121

. . . . . .

RATIFICATION to Sir Archbald Campbel. 122

. . . . . .

RATIFICATION to Bryce Semple of Cathcart. 123

. . . . . .

RATIFICATION to Alex. Maxwell Maiſſer. 124

. . . . . .

RATIFICATION to the Lord Yeſter. 125

. . . . . .

RATIFICATION to the Lord Elibank. 126

. . . . . .

RATIFICATION to Maſter Roger Mowat Advocate. 127

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Apud Edinburgh,

VII DIE JANUARII, A. D. M,DC,XLV.

IN THE SECOND SESSION OF THE FIRST TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Edinburgh and begun the ſeventh of January 1645.

VII JANUARII.

ACT ordaining the Earle of Lauderdale to continue Preſident during this Parliament.

1 FORSAMEIKLE as the Eſtates of Parliament now conveened this ſeventh of January 1645. years. To the which day this Parliament was continued by the laſt Act of the firſt Seſſion thereof the 29. of July 1644. years. Taking to their conſideration the deſire of John Earle of Lauderdale Preſident of Parliament, elected by the Eſtates of Parliament, in the foreſaid firſt Seſſion of this Parliament, Declaring that he as Preſident of Parliament, had miniſtred the Oath of Parliament to the whole members thereof preſent. And therefore repreſented to them, and deſired that they would proceed to the election of another Preſident in his place, conforme to the 50. Act of the Parliament holden in anno 1641. Intituled, Act anent the election of the Preſident of Parliament. The Eſtates of Parliament, after reading of the foreſaid Act, anent the election of the Preſident of Parliament: And of the firſt Act of the firſt Seſſion of this Parliament, anent the election of the ſaid John Earle of Lauderdale to be Preſident in this Parliament, Findes, That by the Act of the Election of John Earle of Lauderdale to be Preſident of Parliament, He is elected to be Preſident in this Parliament, and during the time thereof. And ſo in reſpect of the Act of his election, and of the Act made anent the election of the Preſident of Parliament; there can be no other Preſident elected and choſen, during the time of this firſt Triennall Parliament.

XX JANUARII.

ACT anent the election of the Earle of Crawfurd [and Lindeſay] to be Preſident of this Parliament, in place of the Umquhile Earl of Lauderdale.

2 FORSAMEIKLE as the Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in anno 1641. Taking in conſideration, That the place of Preſident in Parliament doth now vaike by the deceaſe of Umquhile John Earle of Lauderdale, laſt Preſident of Parliament. And herewith alſo conſidering, That by their Act the eleventh of January, they had nominated and choſen John Earle of Crawfurd-Lindſay to be Vice-Preſident of Parliament, in abſence and during the ſickneſs of the ſaid Umquhile John Earle of Lauderdale: And being aſſured of the fidelitie and abilities of the ſaid John Earle of Crawfurd, The ſaids Eſtates of Parliament did unanimouſly after voyceing, elect and chooſe the ſaid John Earle of Crawfurd to be Preſident of this Parliament, conforme to the 50. Act of the laſt Parliament, made in anno 1641. anent the election of the Preſident of Parliament.

XXIV JANUARII.

ACT anent the Deficients and Run-aways.

3 THE Eſtates of Parliament preſently conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates in Anno 1641. Taking into their conſideration the great prejudice that befalls to the publike Service of this Kingdome, through the not due execution of theſe Acts formerly made againſt Deficients and Run-awayes of the firſt and ſecond Leavies: And finding it neceſſary that all means be uſed for remeid and prevention thereof in time coming, They do Statute and Ordain, that the Acts already made hereanent be put in due execution; And for that effect Ordains & Commands all and ſundry Officers (who are not members of Parliament ſitting therein) and Souldiers of any Regiments within the Kingdom, To repair to their ſeverall Colours, Theſe on this ſide of Forthe within Ten dayes after the publication hereof; And theſe on the other ſide of Forthe within Six dayes after the publication: And the Officers and Souldiers within any Regiments in England, To repair to their Colours, theſe on this ſide of Forthe within Fifteen dayes; and theſe on the other ſide of Forthe within Twenty dayes after intimation hereof: The Officers under the pain of loſing of their places, and the Souldiers under the pain of death: Certifying them that failzies, the ſaids pains ſhall be execute upon them without favour. And further, The Eſtates do hereby diſcharge all his Majeſties Subjects from Reſetting any of the ſaids Run-awayes, under the pains contained in the Act of Parliament made thereanent: And Ordains and commands the Committees of Warre in the Shires, To do exact diligence in making ſearch for the Deficients, Run-awayes, and their Reſetters within

their Shires, and ſuch as ſhall come into their Shires without Paſſes from ſome of the generall Officers of the Army, or the Commander in chief of that Regiment wherein they ſerve: As alſo in up-lifting the Fines of the Reſetters and Heritors that are deficient in the Leavies, for which purpoſe they are hereby authoriſed to direct Precepts of Poinding, and give out ſuch order as they ſhall think fitting for lifting of the ſaids Fines: And that out of the firſt and readieſt thereof, and of the Exciſe, conform to the Act of Parliament herewith reprinted, the Run-away Souldiers be ſent to their Colours, to receive puniſhment according to their demerits. And Ordains the Committees in the Shires, to ſend in an accompt of their diligence herein to the Parliament or Committee thereof monethly at leaſt, and the firſt accompt to be ſent in upon the firſt day of March next: Wherein if they failzie, they ſhall be lyable for Five hundred merks for each Horſeman, and an hundred pounds Scots for each Footman, that are Run-awayes or Deficients in theſe Troops or Companies put out by that Shire: And Letters of Horning ſhall be direct againſt them for payment thereof. And the Eſtates of Parliament, Conſidering how neceſſar it is for the good of the publike Service, and better execution of this Act, That an exact triall be tane through the Shires of the numbers of Horſe and Foot put out by them, They do therefore ordain and command the Committees of War in the ſeverall Shires of this Kingdome, To cauſe make an exact Lift of the whole perſons names who were put out of the Shires, either as Horſemen or Foot men in the firſt and ſecond Leavies; with the perſons names by whom they were put out, and the Officers names who received them, or money for them, and what was the proportion of money given therefore: And that they ſend in the ſame under their hand, with one or two of their own number, betwixt and the ſaid firſt day of March next, under the pain of Horning; With certification to them if they failzie, the ſaid day being bypaſt, Letters ſhall be direct to denounce them Rebels, And to eſcheat, &c. And to the effect that their Rolls, and the carriage of the Officers may be the better cleared, It is hereby Statute and Ordained, That the Officers in the ſeverall Regiments, ſhall give in under their hands a Lift of the Perſons or Moneys received by them, and from whom, That the ſame being compared with the Lifts ſent from the Shires, It may be beſt known where the deficiencie is, and a courſe taken for remeiding thereof: And diſcharges all Officers in time coming of taking of Moneys for up-lifting either of Horſe or Foot, under the pains foreſaids: And declares, That in caſe any perſons ſhall give Moneys to any Commander, The ſamen ſhall no wayes be ane liberation to theſe that payes the Moneyes in time coming. And the Eſtates Ordains this Act, with the other made in the laſt Seſſion of this Parliament concerning Run-aways, To be Printed, and Publiſhed at the Market croſſes of the head Burrows of this Kingdom and ſeverall Pariſh Kirks thereof, wherethrough none pretend ignorance of the ſamen.

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XXXI JANUARII.

ANENT the Exciſe, and collecting thereof.

THE Eſtates of Parliament now conveened in the 4
ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates in Anno 1641. Having taken to their conſideration what may be the moſt expedient way for collecting the Exciſe, leaſt chargeable to the Publike, and leaſt troubleſome to the Lieges: They after debate and reſolution thereanent, Ordains the whole Exciſe of the Kingdom, to be collected and gathered in as follows, viz. They give power, warrand, and commiſſion, to the Magiſtrates and Councell of the whole Royall Burrows of the Kingdom, and ſuch as the Magiſtrates and Councell of ilk Burgh ſhall appoint and be anſwerable for, To collect, ingather, and up-lift the whole Exciſe within the bounds of their ſeverall Burghs, Pendicles, and Liberties thereof, from all perſons whatſomever within the ſamin, lyable in payment of Exciſe. And Ordains the ſaids Magiſtrates and Councell, and theſe to be appointed by them, and for whom they ſhall be anſwerable, as ſaid is, To do their exact and faithfull diligence hereanent. And to make compt, reckoning, and payment of the whole Exciſe within their ſeverall Burghs and bounds thereof reſpectivè foreſaids, To the Commiſſioners for the Exciſe, as is appointed by their Acts ſet down thereanent. And allows to the ſaids Magiſtrates and Councell of ilk Burgh, ten of ilk hundreth of the Exciſe foreſaid, appointed to be collected by them, as ſaid is, To be diſpoſed upon by the ſeverall Burghs, for publick, pious, and charitable uſes within their Burghs, and for payment to their Sub-Collectors of their Fees, at ſuch proportion as the Magiſtrates and Councell of ilk Burgh ſhall appoint and think fit to give them. And als the Eſtates, gives likewiſe power, warrand, and commiſſion to ſuch perſons as are Elders and Deacons of ilk Landwart Parochine of the Kingdom, and ſuch as they ſhall appoint and be anſwerable for, To collect, uplift, and gather in the whole Exciſe, within their ſeverall Paroches, from all perſons lyable in payment thereof. And Ordains them, To do their exact and faithfull diligence thereanent. And to make compt, reckoning, and payment of the ſamin, To the Collectors of the ſeverall Shires, within the which their ſaids Parochines lyes. And Ordains theſe Collectors of the ſeverall Shires, To make compt, reckoning, and payment of the whole Exciſe of their Shires, to the ſaid Commiſſioners

for the Excife, in manner as is appointed and preſcribed by the ſaids Commiſſioners for the Excife, their Acts made and ſet down by them thereanent; For taking compt and payment from the Collectors of the ſeverall Shires of the Kingdome. And the Eſtates allows Ten of ilk hundred of the ſamine Excife for collection thereof, And for the other pious uſes after ſpecified, to be imployed as follows, viz. Sik part thereof to the Collectors of the Shires for their Fees, as the Commiſſioners for the Excife ſhall modifie, Not being within ane, nor exceeding four of the foreſaid Ten for the hundred; And Ordains the ſuperplus of Ten for ilk hundred of the ſaid Excife to be diſpoſed upon for publike, pious, and charitable uſes within the ſeverall Paroches reſpectivè, whereout of the Excife is collected, and for payment to the Collectors thereof, within the ſamine ſeverall Paroches of their Fees for collection of the Excife, at the ſight, and by the direction of the Kirk Seſſions of the ſeverall Paroches, and as they ſhall think fit to allow and modifie to the Collectors of the ſeverall Parochines, for their Fees, pains and charges, as ſaid is. And becauſe there is Excife already up-lifted in ſundry parts of the Kingdom, both to Burgh and Landwart by the Collectors formerly appointed for that effect, The Eſtates Ordains the Commiſſioners for the Excife, preſently with all conveniencie, To call before them theſe Collectors, and cauſe them make compt, reckoning, and payment of their whole intromiſſions. And for the reſt of the whole bygone Excife, not yet collected, Ordains the ſame to be collected, uplifted, and ingathered from all perſons lyable in payment thereof, by the Magiſtrates, and ſick as they ſhall appoint within their Burghs, Pendicles, and Liberties thereof; And by the Elders and Deacons, and ſick as they ſhall appoint within the whole ſeverall Landwart Paroches of the Kingdom, And to make compt, reckoning, and payment of the ſame, to the Commiſſioners for the Excife. And where they ſhall finde any perſons, That in regard of their poverty, are not able to pay all bygone Excife, The Eſtates Ordains ſick parts and portions of the bygone Excife, to be tane from theſe poor perſons as they are able to give. And declares, That the Teſtificates of the Magiſtrates for the Burgh, and Kirk Seſſions for Landwart reſpectivè, given upon their credits, anent the inhability of the ſaids perſons, to pay their whole bygone Excife, being produced before the Commiſſioners for the Excife, ſhall be ſufficient, to infer liberation to the ſaids Magiſtrates, Elders, and Deacons reſpectivè pro tanto, for the ſums contained in theſe Teſtificates. And for the more cleare collecting of the Excife of Ale, Beer, and Wines, fra whom the ſamine ſhall be tane, The Eſtates Ordains the Excife of the Ale, Beer, and Wines, to be collected, uplifted, and gathered in from the Brewers, Topſtars, and Vintners reſpectivè, of Ale, Beer, and Wines, according to the proportion and quantity reſpectivè, made uſe of, topted, or ſold by them, with the proviſions contained in the Act of Parliament. And Ordains this manner of the collecting of the Excife of the Ale, Beer, and Wines, to ſtand and be obſerved: Notwithſtanding of the Acts made by the Committee of the Eſtates, and Commiſſioners for the Excife, upon the 20. and 21. dayes of December laſt by-paſt: Which Acts the Eſtates reſchindes and diſcharges in ſo far as the ſamine are or may be derogatory hereto, in any manner of way. Likeas the Eſtates of Parliament, Ordains the Gudlines with the intereſt due, advanced, and payed by the Burrows, and their Burgeſſes reſpectivè, for Arms brought home to the Kingdom, and the prices of the Silver-work given in for the uſe of the Publick, With the quarterings of Souldiers to be firſt payed out of the foreſaid Excife, conforme to the Act of the Committee of Eſtates made thereanent, and conform to the particular Acts granted to the ſeverall Burghs, their Burgeſſes, and others perſons reſpectivè for payment of their ſaids Gudlines and price of their Silver-work. And thereafter Ordains the annual-rents of the Moneys addebted by the Publick, to any perſon in Burgh and Landwart, to be payed out of the foreſaid Excife, conforme to theſe Creditors their Bands, Securities, and Warrands reſpectivè, granted to them by the Publick, for payment of their ſaids debts. With power alſo to the Commiſſioners for the Excife, To receive in, fit, and allow, as they ſhall think reaſonable, the whole compts of the quarterings, with the Bands, Warrands, and Securities, granted for payment of the Gudlines, Silverwork, and others publick debts. And after ſight thereof, and fitting and allowing of the compts of the quarterings, To give precepts and warrands for payment thereof out of the Excife, according to the order before preſcribed, and conform to the Acts of the Commiſſioners for the Excife, anent the granting of the ſaids precepts. And ſicklike the Eſtates of Parliament Ratifies and approves the Commiſſion granted to the Commiſſioners for the Excife, and whole remanent Acts and Ordinances made and ſet down for ingathering thereof, and not hereby altered nor reſchinded, in manner above-written. And Ordains the ſame to ſtand in force and ſtrength, as is ſet down in the Act of Parliament, except in ſo far as the ſame are hereby reſchinded or altered, as ſaid is. And farther, the Eſtates by thir preſents, Gives full power and warrand to the Commiſſioners for the Excife, To ferme the Excife of the Wines to the ſeverall Burrows of the Kingdom, ilk Burgh for their own parts, as the Burrows ſhall deſire the ferming thereof, and that for payment of ſick duety therefore, and upon ſick ſecurity for payment thereof, as the Commiſſioners for the Excife ſhall finde moſt uſefull and profitable for the benefit of the Publick. And Ordaines Letters of Horning to be direct, charging theſe perſons who ſhall be nominate and

appointed Collectors of the Excife, to the effect refpectivè above fpecified, to accept of the famine Office. And Ordains thir prefents to be publifhed and Printed.

I FEBRUARII.

COMMISSION for the Exchequer.

THE Eftates of Parliament now conveened, in the fecond Seffion of this firft Trienniall Parliament, by vertue of the laft Act of the laft Parliament, holden by his Majefty and three Eftates, in Anno 1641. Taking to their confideration, That there was ane Commiffion of Exchequer granted to ane certain number of Noblemen, and others, by whofe help, counfell, and advice, the managing and government of his Majefties Rents, and others after-mentioned, competent to the Exchequer, In manner under-written, was to be guided, ruled, and directed, Did expire at the beginning of this prefent Parliament, whereby his Majefties fervice, and good of the Lieges would be greatly prejudged, if the faid Commiffion were not renewed. As alfo confidering, that for the good of his Majefties fervice, and eafe of his Subjects, They have made and conftitute John Earle of Crawfurd-Lindfay, Commiffioner for the Thefaurarie, Comptrollarie, and Thefaurarie of his Majefties new Augmentations within this Kingdome: But prejudice alwayes to Sir James Carmichael of that Ilk, Knight, Thefaurer-Deputy of his gifts of his Office forefaid, and whole Liberties, Power, and Priviledges belonging to the famen, as the Acts of Parliament made thereanent bears. Therefore they have made, named, and conftitute, and by the tenor of thir prefents makes, names, and conftitutes, John Earle of Lowdoun Chancellour, Robert Earle of Roxburgh Privie Seale, William Earle of Lanerk Secretary, Sir Alexander Gibfone of Durie Clerk of Regifter, Sir Thomas Hope of Craighall Knight, his Majefties Advocate, Sir John Hammiltoun of Orbeftoun Knight, Juftice-Clerk, Sir Andrew Fletcher of Innerpefer Knight, Sir James Leirmonth of Balcomie, Sir James Macgill of Cranftounriddell, Sir John Hope Fiar of Craighall, Sir Alex. Falconer of Halkertoun, Sir John Leflie of Newtoun Knight, Sir John Scot of Scottiftarbet Knight, ordinary Lords of the Seffion, and Sir James Lockhart of Ley, Commiffioners of Exchequer, That they concurre and aflift the faid John Earle of Crawfurd-Lindfay, Commiffioner for the Thefaurarie, and repreffenting the place of high Thefaurer, Comptroller, and Collector of his Majefties new Augmentations within this Kingdom, & the faid Sir James Carmichael of that Ilk, Knight, his Majefties Deputy in the faids Offices. Likeas, The faids Eftates of Parliament, have given, and by thir prefents gives full power and Commiffion to the faid John Earle of Crawfurd-Lindfay Commiffioner, and repreffenting the place of high Thefaurer, and the faid Sir James Carmichael his Majefties Deputy Thefaurer in his abfence: Together with any two of the faids Commifsioners, To receive Refignations, Surrenders, and Commiffions of all Lands, Baronies, Caftles, Towres, Fortalices, Kirks, Benefices, Teinds, Patronages, and others whatfomever, lying within this Kingdome of Scotland, which of their own nature may be refigned, furrendred, and dimitted in his Majefties hands for himfelf, or as adminiftrator to his deareft fon the Prince, either in their own favours ad perpetuam remanentiam, or in the favours of whatfomever his Majefties Subjects, and to give, grant, and expede all and whatfomever Signators, Gifts, Infeftments, Confirmations, Difpofitions, and others Rights and Securities requifite upon the faids Refignations, Surrenders, and Dimiffions, or vacand by any other manner of way, whereby the faids Lands, Baronies, Kirks, Teinds, Patronages, and others forefaids fhall happen to vaike in his Majefties hands, or the Prince his hands, by reafon of Recognition, Baftardries, laft heir, Difclamation, Reduction, Appryfing, or other manner of way. And to give and expede new Gifts and Difpofitions, with all clauſes neceffary and ufed in the like cafes, To be holden conform to the tenour of their old Infeftments, and for payment of the Duties and Conditions therein expreft. Likewife with power to give and expede all gifts of Wairds, Nonentreffes, Efcheits, Life-rents, and others Caſualities whatfomever vaiking, or which in whatfomever manner of way vaik in his Majefties hands, or the Prince his hands, and for payment of reafonable compofitions therefore: And alfo to fet Tacks of his Majefties Cuftomes and Impofts, according to the forme contained in former Commiffions: And likewife to grant Remiffions to tranfgreffors of whatfomever penall Statutes, upon reafonable compofitions, as faid is: And to grant Remiffions for flaughter, upon fight of Letters of flaynes; and for Adultery, upon teftimoniall of their repentance and fatisfaction to the Kirk. Referving alwayes to his Majefty to grant Remiffions for crymes of greater moment and conſequence. And generally, to compone, tranſact, and agree in all and whatfomever things touching his Majefty, or the Princes Rents. Cuftomes, or Caſualities of this Kingdome, or that in any wayes may belong to the faids Offices of Thefaurarie, Comptrollarie, or Thefaurarie of new augmentations pertaining or that in any ways may pertain to his Majefty, or the Prince, upon reafonable compofitions, as faid is. And with power to the faid John Earle of Crawfurd-Lindfay, Commiffioner, and repreffenting the place of high Thefaurer forefaid, and in his abfence, to the faid Sir James Carmichael Deputy Thefaurer, with any two of the other Commiffioners of Exchequer forefaids, To fit, cognofce, and determine in all actions and cauſes

incumbent or touching his Majeſties Rents, and others incumbent to the Exchequer ſicklike, and als freely as may be done by the Lawes of the Kingdome, and laſt Act of Parliament. And for that effect, With power to the ſaid John Earle of Crawfurd-Lindſay, Commiſſioner, and repreſenting the place of high Theſaurer, and in his abſence the ſaid Sir James Carmichael, with the ſaids Commiſſioners, or any two of them, To conveen and meet at ſuch times and occaſions, and in ſuch places as they ſhall think expedient, and there, all and ſundry buſineſſe publikely to do and expede, which may concern the premiſſes, and no farther. And Ordains Letters of Horning and Poinding, and others Executorialls neceſſary, according to the cuſtome obſerved in the like caſes. And that the Compoſitions to be payed by his Majeſties Subjects, for expeding of the ſaids Gifts, Signators, and others Rights foreſaid, chiefly of his Majeſties Propertie and Principalitie, may be done with a due proportion and conſideration of the benefit ariſing thereby. Therefore the ſaids Eſtates Wills and Ordains the ſaid John Earle of Crawfurd-Lindſay, Commiſſioner foreſaid, and in his abſence the ſaid Sir James Carmichael, Deputy-Theſaurer, To meet and conveen certain dayes in the ordinary Exchequer-houſe, where the ſaids Signators are to be preſented, To treat, deal, do, and conſider with the Parties preſenting the ſaids Signators, and for trying the worth, caſualitie, and benefit ſought thereby, and to move the Parties to pay reaſonable Compoſitions, and to conſult upon the ſaids Compoſitions: And the ſaids Eſtates Wills, That the Compoſitions of every Signator be publickly ſet down, and in open Exchequer in publick meetings, by the ſaid John Earle of Crawfurd-Lindſay, and in his abſence by the ſaid Sir James Carmichael, Theſaurer Depute, with conſent of the ſaids Commiſſioners, or any two of them, as ſaid is, and not within the ſaid number. And the ſaids Eſtates Declares, That this preſent Commiſſion ſhall be but prejudice of the ſaid Sir James Carmichael his gift of Theſaurer Depute during his life time, and of the whole Priviledges & Liberties therein contained, which are holden as herein expreſt, and without adding or pairing thereanent, as ſaid is. And alſo the ſaids Eſtates Declares this preſent Commiſſion to endure to the next Seſſion of this preſent Parliament; Diſcharging hereby all former Commiſsions of Exchequer, granted before the date of this preſent Commiſsion: With proviſion alwayes, that this preſent Commiſsion, nor any thing therein contained, ſhall not derogate from the Commiſsion of Privie Councell, Commiſſion of Teinds and Surrenders, But that they remain in their own vigor, unprejudged, ſtopped, or any wayes altered, notwithſtanding of whatſomever heads and clauſes contained in this preſent Commiſsion. Which Commiſsion the Eſtates declares ſhall onely endure to the ſaid next Seſsion of this preſent Parliament.

ACT anent the In-bringing of the Loan and Taxt.

THE Eſtates of Parliament now conveened in the 6
ſecond Seſsion of this firſt Triennial Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in Anno 1641. Taking in conſideration the great flowneſſe and backwardneſſe in the Shires to pay their Loan and Taxt granted by the Convention of Eſtates, and appointed to have been payed eighteen moneths ſince, or thereby. Inſomuch as the moſt part of the Shires have not, nor will not give in their Accompts of their Loan and Taxt: Notwithſtanding the neceſsity and prejudice, the ſervice of the Publick ſuſtains for want of Money, albeit there be nothing more due than the Loan and Taxt granted by the Eſtates for that ſervice; They doe therefore Command and Ordain, The whole Sub-collectors of the Loan and Taxt, who hes not yet given in, cleared, and perfected their Compts thereof, To bring in to the Collector generall of the Loan and Taxt, and his Deputes, their whole Accompts of the ſamine, Together with the diligence done by the Sub-collectors, conforme to the Act of the Convention of Eſtates for ingetting of the Loan and Taxt. And to cleare and perfect their ſaids Accompts and diligence done by them thereanent, betwixt and the dayes underwritten, viz. Theſe Sub-collectors for the Shires be-ſouth Spey, betwixt and the twenty day of February inſtant, and the Sub-collectors for the Shires be-north Spey, betwixt and the firſt day of March next without farther delay: That thereby it may be cleared wha hes payed, and wha not, and where the fault and deficiencie is, With certification to the Sub-collectors and they failzie, They ſhall be compelled to pay the whole Loan and Taxt layed on the Shires whereof they are Sub-collectors, without any allowance or deduction whatſomever to be granted of any deburſements for Leavie money, Tranſport money, or any other cauſe. And als, The ſaids Eſtates hereby ordaines and Commands the whole Heritors and others lyable in payment of Loan and Taxt, who hes not yet payed the ſame, To make payment thereof or ſuſpend betwixt and the dayes reſpective above-written, To the Sub-collectors of their Shires, That the Sub-collectors may the more clearly compleat their Compts, and report their diligence at the time and in manner before ordained: With certification to the Heritors and others lyable in payment of the Loan and Taxt, and they failzie, They ſhall be compelled to pay the whole Loan and Taxt not yet payed without deduction of Leavie money, and Tranſport money, either for Horſe or Foot, or any other deduction appointed by the Act of Convention, to be granted to timeous payers.

AND farther, To the effect it may be ſeen to the Eſtates of Parliament, That the valuations of the ſeverall Shires are made conform to the order preſcribed by the Act of Convention of Eſtates; They therefore Ordains and Commands the Commiſſioners and Valuers for the whole ſeveral Shires of the Kingdom, nominate and appointed by the ſaid Act of Convention for valuation of their ſaid ſeverall Shires, To bring in and produce to the Collector-Generall and his Deputes, betwixt and the dayes reſpectivè above-mentioned, the whole valuations of their ſeverall Shires and Paroches thereof, conform to the ſaid Act of Convention, viz. Theſe Valuers for the Shires be-South Spey, betwixt and the Twenty day of February inſtant; and theſe for the Shires be-North Spey, betwixt and the firſt day of March next, under the pain of Rebellion, and putting of them to the Horn: And if they failȝie, To denounce and eſcheat, &c. And in reſpect That there are ſome Shires and perſons that queſtions the payment of their Loan and Taxt, without they get deduction therein of Leavie-money and Tranſport-money, for the Horſe and Foot put out by them in the ſecond Leavie; Which deſire, the Eſtates findes groundleſſe and unreaſonable, The ſame not being ſought nor granted to any of theſe wha hes already paid their Loan and Taxt for the Horſe or Foot put out by them in the ſecond Leavie, And ſo is far leſſe due to ſuch as hes not yet payed their Loan and Taxt. The Eſtates for clearing hereof, Findes and Declares, That there is no deduction of Tranſport-money or Leavie-money, due to be granted of the Loan and Taxt for the Horſe or Foot put out in the ſecond Leavies: And therefore they diſcharge ſimpliciter the ſeeking or granting of any deduction therefore in the payment of the Loan and Taxt. And that none pretend ignorance anent the premiſſes, Ordains thir preſents to be Printed, and publiſhed by ſound of Trumpet at the Market Croſſe of Edinburgh, and by Meſſengers of Arms at the head Burghs of the ſeverall Shires of the Kingdom.

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ACT in favor of Dame Margaret grahame

7 AT EDINBURGH the ffirſt day of ffebruar the yeir of god J^m^ vj^c^ fourtie fyve yeirs ANENT the ſupplicatune given in to the eſtates of parliament Be dame Margaret grahame Quhairof the tenor followis MY Lordis and others the right honor^ble^ eſtates of parliament humblie meanes and ſhawis yor Lo / humble petitioner dame Margaret grahame That q^r^ I am for the p̃nt in extreame great neceſſitie haveing nothing whervpon to live My conjunctfie landis in galloway being affected w^t^ my huſbandis forfaultrie and thairby comeing in yor Lo / handis Nather will my chalmerlanes tennents and occupyars of þe ſaidis landis pay to me anie dewtie of the ſamen w^t^out yor Lo / warrand Heirfore I humblie beſeek yor Lo / In conſideration of the premiſſ and of my extreame neceſſitie That it wald pleaſe yor Lo / To give warrand and cõmiſſion to me my factors and ſervitors in my name To vplift and reſſave fra þe tennents occupyars and and vþrs wha ar reſtand awand anie of the foreſaids dewteis ſuche ane proportion þrof as yor Lo / ſall allow for my Intertinement Intymecomeing and for defraying of ſuche debts as I have alreadie contracted And yor Lo / anſr humblie I beſeek QUHILK ſupplicatune Being reported in audience of the parliament from that cõmittie appointed for billis and ſupplicatunes to q^m^ the ſamen was first preſented And the ſamen ſupplicatune w^t^ the p̃t eſtate and condition of þe ſuplicant Being hard and conſidered be the eſtates of parliament THEY out of pitie and meere favor to the ſuplicant for aliment and mantenance HES GIFTED given and granted And heirby Giftes gives and grantis to the ſaid dame Margaret graham ſuplicant The haill dewteis of hir conjunctfie and lyverent landis in gallaway and benefite of hir contract of mariage w^t^ vmq^le^ Alexander Lord gairlies her firſt huſband for byganes vnpayed and Intymecomeing conforme to hir infeftment richt and proviſioune of hir ſaid contract of mariage AND thairfore The eſtates Be thir p̃tis Grantis warrand to the ſaid dame Margaret grahame ſuplicant and hir factors and ſervitors in hir name for hir vſe To vplift and reſſave fra þe tennents and occupyars of hir conjunctfie landis and fra vþrs wha ar reſtand awand anie of the foreſaids dewteis / the ſamen dewteis of the yeirs bygane reſtand vnpayit and Intymcomeing conforme to hir ſaid infeftment richt and proviſion of hir contract of mariage foreſaid And if neid beis To call and perſew thairfore The ſaid dame Mar^t^ grahame and hir factors and ſervitors in his name alwayis paying and performeing all publict dewis for byganes and Intymcomeing for hir ſaid lyverent and conjunctfie landis dew and payable for the ſamen conforme to the publict ordors alreadie given out or to be given out for the vſe and ſervice of the publict In payment and performeance q^t^of the eſtates DECLARES the ſuplicant and hir factors and ſervitors foreſds w^t^ hir ſaid conjunctfie and lyferent lands and dewteis þrof ſalbe lyable AND The eſtates declares that thir p̃tis Is without prejudice to lau^ll^ creditors of þr laufull debts w^t^in the kingdome contracted ſen þe tyme of hir ſecond mariage to the forſalt^r^ of Lodovick Lindſey now huſband to the ſuplicant

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XII FEBRUARII.

ACT Diſcharging the Printing or Re-printing of ſome Books.

8 THE Eſtates of Parliament now conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in Anno 1641. Ratifies and approves the Act of the Generall Aſſembly of the tenth of February inſtant, whereof the tenour follows. The Generall Aſſembly having appointed M. Robert Boyd of Trochrig his Commentary upon the Epheſians to be Printed by Robert Bryſon, and having appointed the Continuation of the Hiſtory of this Kirk to be reviſed by the Commiſſioners of the Aſſembly, and thereafter to be Printed within the Kingdom, by the conſent of the Authour; And underſtanding that M. David Dickſon hath already Printed a ſhort Explication of all the Apoſtolicall Epiſtles, Therefore that their undertaking of the Printing of the ſaids Books be not wronged, Diſcharges any to Print, Re-Print, or bring from other Kingdoms the ſaids Works, without conſent of M. John Boyd of Trochrig, and of the Authors of the other Works reſpectivè: And moſt ſeriouſly recommends to the Honourable Convention of Parliament, that their authority with their civill ſanction be interponed thereto, in the whole Heads and Articles abovementioned of the ſaid Act. And the Eſtates of Parliament do hereby interpone the authority of Parliament to the foreſaid Act, And Ordains the ſame to have the ſtrength and effect of a Law for the ſpace of fifteen yeers following the date hereof.

XIII FEBRUARII.

ACT Anent the Printing of the Warning from the Generall Aſſembly.

9 THE Eſtates of Parliament now conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in Anno 1641. Having heard the Warning preſented unto them from the Generall Aſſembly read in their audience, Received the ſame cheerfully as a ſeaſonable Warning, and appoints the ſame to be Printed, And ordains the Earle of Crawfurd-Lindſey Preſident of the Parliament, to give thanks from the Parliament to the Aſſembly for their care, paines, and vigilancie expreſſed thereintill.

XX FEBRUARII.

ACT Anent the ſelling of the Lands of forfaulted perſons.

THE Eſtates of Parliament now conveened in the 10
ſecond Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates in Anno 1641. Conſidering that the Eſtates of Parliament by their Act of the date the 27. of July 1644. Conſidering that it was againſt all equitie and reaſon, That the Vaſſals, Cautioners, and true and reall Creditors of any perſon or perſons, of whatſoever qualitie, that ſhould be forfaulted in this preſent Parliament, or at any time thereafter, ſhould be prejudged by the forfaulture of the ſaids perſons off their right of propertie of any Lands, Woodſets, and others, holden by them of the ſaids forfaulted perſons, or of the payment of their juſt Debts, and relief of their true and reall Cautionries, for payment and relief whereof the ſaids forfaulted perſons ſtood obliged, the ſaids Vaſſals, Creditors, and Cautioners foreſaids, not being airt, pairt, acceſſarie, nor aſſiſting to the crimes for which the ſentence and doom of forfaulture was or ſhould be decerned: Therefore the ſaids Eſtates fand, decerned, and declared, That the Vaſſals of any perſon or perſons of whatſoever qualitie, who were or ſhould happen to be forfaulted in that preſent Parliament, or at any time thereafter, for whatſover cauſe, ground, or occaſion, whereupon ſentence and doom of forfaulture ſhould be given and pronounced againſt them, ſhould not be prejudged anent their right and property of the Lands, Annuall-rents, Wodſets, and others holden by them of the ſaids forfaulted perſons; but that the ſaids Vaſſals ſhould be in that ſame caſe and condition with theſe who comes in the right and place of the ſaids forfaulted perſons, as the ſaids Vaſſals were with the ſamin forfaulted perſons, their Superiors, before the ſentence and doom of forfaulter, The ſaids Vaſſals no wayes being airt, pairt, acceſſory, nor aſſiſting to the ſaids forfaulted perſons, in the committing of the crimes or deeds, for the which the ſentence or doom of forfaulter was, or ſhould be given againſt them, as ſaid is. And alſo found and declared, That the true Creditors and Cautioners of the ſaids forfaulted perſons, or theſe who had any part of the Fines aſſigned to them by the Publike, ſhould no wayes be prejudged by the foreſaid forfaulter, anent the payment of the ſaids Creditors, or their reall, juſt, and due debts owing and aſſigned to them, and anent the ſaids Cautioners their relief of their juſt and true Ingagements, and Cautionries, but that the ſaids Creditors and Cautioners reſpectivè, ſhould have action and execution for their payment and relief reſpectivè, againſt the Lands and Eſtate of

the forfaulted perſons, their Debters ſicklike, and in the ſamin manner, as if they had not been forfaulted; Providing the ſaids Creditors and Cautioners have not been airt, part, acceſſory, nor aſsiſting to the ſaids forfaulted perſons in the committing of the Crimes for which they were, or ſhould be forfaulted: And with proviſion, That they be Vaſſalls, Creditors, and Cautioners, before the committing of the Crimes, whereupon the forfaulter follows, as the ſaid Act of the date foreſaid proports. And, The ſaids Eſtates of Parliament now preſently conveened alſo, conſidering, That ſeveral perſons were forfaulted in the laſt Seſsion of this preſent Parliament, And that divers and ſundry perſons are and have been forfaulted in this preſent Seſsion of Parliament, As alſo conſidering, That it is expedient both for the weale of the lawfull Creditors and Cautioners of perſons forfaulted heretofore, or who ſhall happen to be forfaulted hereafter: And for the weale of theſe to whom the perſons forfaulted, or who ſhal happen to be forfaulted in this preſent Seſsion of Parliament, are bound as Cautioners for any other perſon or perſons. And als, for the weal of the Publick, for defraying of the Publick charges of the Eſtates of this Kingdom, That a juſt and expedite way be taken for the diſcovery of the juſt and lawful debts, owing by any perſon or perſons, either already forfaulted before the date of thir preſents, or who ſhall happen to be forfaulted hereafter in this preſent Seſſion of Parliament, to their juſt and lawfull Creditors; to whom the ſaids perſons forfaulted, or to be forfaulted, are Debters as Principals, or whom the ſaids perſons forfaulted, or to be forfaulted, are Debters in the way of lawfull relief: They being Cautioners for the ſaids perſons forfaulted, or to be forfaulted, or to whom the ſaids perſons forfaulted, or to be forfaulted, are Cautioners for any other perſon or perſons. And to the effect, that all perſon or perſons, who are either Creditors or Cautioners to the perſons forfaulted, or to be forfaulted, or to whom the ſaids perſons forfaulted, or to bee forfaulted, are Cautioners, May in due time, both for their own, and the Publick weal, make their Debts owing to them by the ſaids perſons forfaulted, or to be forfaulted, either as Principals or Cautioners in manner abovеſpecified, known to the Eſtates of this Kingdom, that they may have the benefit of the foreſaid Act of the date the 27. July 1644. And that their Debts being known and ſatisfied, and payed by the courſe afterſpecified; The remainder of the Lands, Eſtate, and Goods of the foreſaids perſons forfaulted, or to be forfaulted, and hail farther benefit thereof, may expeditely and convéniently come into the Eſtates of this Kingdome, for the weale of the Publick, and for the relief of the Publick Burdens. Therefore the ſaids Eſtates of Parliament, Statutes and Ordains, That all perſon or perſons whatſoever, to whom any perſon already forfaulted before the date of thir preſents, or who ſhall happen to be forfaulted in this preſent Seſſion of Parliament, Is addebted juſtly and really in any ſums of money, or any otherwiſe, either as Principall Debters, or as Cautioners for any other perſons. And als, that all perſons who are Cautioners for any perſons already forfaulted, or who ſhal happen to be forfaulted in this preſent Seſſion of Parliament, to their lawfull Creditors; Shall exhibite and produce before the Committee of Eſtates, to be appointed to ſit at Edinburgh, or where it ſhall happen them to be for the time after the riſing of this preſent Seſsion of Parliament, Their whole Rights, Writs, Evidents, and other lawful Securities, wherby the ſaids perſons forfaulted, or to be forfaulted in this preſent Seſsion of Parl. are their juſt and reall Debters, either as Principal Debters to them, or as Debters to them as Cautioners for other perſons, or whereby they are Cautioners for the ſaids forfaulted perſons, or to be forfaulted in this preſent Seſsion of Parl. And which Cautioners the ſaids forfaulted, or to be forfaulted perſons in this preſent Seſsion, are obliged in law to relieve. And that the production of the foreſaids Writs, Evidents, and Securities, in ſo far concerns any perſons forfaulted heretofore, or in the preſent Seſsion of Parl. be made by the Creditors & Cautioners, ſo many of them as are without the Countrey, within three moneths; and theſe that are within the Countrey, within threeſcore dayes after publication hereof at the Head Burghs of the ſeverall Sheriffdomes within the Kingdom: With certification to all and whatſomever the Creditors of the perſons already foreſaulted heretofore, or to be foreſaulted in this preſent Seſſion; That if they failzie, To exhibit and produce before the Committe of Eſtates Their foreſaids Writs, Evidents, and Securities, made to them by the ſaids foreſaulted perſons within the Diets reſpectivè foreſaids: That the foreſaids Creditors ſhal never in any time thereafter, Have any action againſt the Lands, Eſtates, and Goods of the foreſaids foreſaulted perſons, for payment of their debts upon the pretence of the foreſaid Act of the 27. July laſt, or upon any other pretence whatſoever: But that the Lands, Eſtate, and Goods of the foreſaids foreſaulted perſons ſhall pertain to the Publick. Neither ſhall they have any action againſt their Cautioners, but prejudice alwayes to them after production, in manner, and at the time foreſaid, to take preſently back their Writs and Purſue: But prejudice alſo to the ſaids Creditors of their action and execution competent to them againſt their Cautioners, conforme to their Bands and Rights. It is alſo declared for the Cautioners of the ſaids foreſaulted, or to be foreſaulted perſons, that they ſhall not be holden to produce the Writs and Bands wherein they are Cautioners, But onely to give in a note under their hands of the names of the Creditors to whom they are Cautioners, and of the ſums contained thereintill (Becauſe the Writs and other Securities wherein they

are Cautioners, are not their evidents and in their option, but in the hands of the Creditors to whom they are principally made) Like as the ſaids Eſtates of Parliament, Finds and diſcerns the ſamin, To pertain to the publick for relief of their publick Debts and Burdens in all time hereafter, without any Burden of Payment of the Debts owing to the ſaids Creditors failzing, to produce and make known their Debts, at the time, and in maner foreſaid. It is alſo declared, That where the Creditors or Cautioners are Minors, Their Tutors and Curators are obliged in the like manner, To produce their Bands, Rights, or Notes; or otherwiſe be lyable to their Minors, for refounding their damnage and intereſt. Likeas alſo the Eſtates of Parliament, conſidering, That the foreſaid perſons already forefaulted, may be ingaged in maner above ſpecified, either as principals or Cautioners to divers and ſeverall perſons their Creditors: To which Creditors no preſent payment of their Debts can be made in a preſent convenient and expedit way, without the ſelling of the Lands, Heritages, and Eſtates, which pertained to the foreſaids perſons forefaulted before their forefaulter; The ſale whereof can not be expeditely done, neither for the weale of the ſaids Creditors, nor for the weale of the publick. And to the effect the ſaids Creditors may receive ſatisfaction in a juſt and reaſonable way, out of the ſaids forefaulted perſons, their Lands, Heritages, and Eſtate, And that the benefit of the reſidue thereof, may come into the Publick of this Kingdome; Therefore the Eſtates of Parliament, Decernes and Ordaines, That the foreſaids Creditors or Cautioners ſhall be obliged, To accept a proportionall part of the Lands and Heritages of the ſaids perſons forefaulted their Debtors reſpectivè, for their Debts owing to them, being inſtructed at the time and in manner above-ſpecified, at the ſight and determination of the ſaid Committe of Eſtates: And that at the rate and proportion of One hundreth Merks of ordinar yeerly conſtant Rent, for ilk ſum of Two thouſand Merks, addebted by the ſaids forefaulted perſons, to their ſaids Creditors or Cautioners; or otherwiſe to be deprived of the benefit of the Act of Parliament 27. July 1644. and to be reduced to the old eſtate of the Creditors of forefaulted perſons, as if the ſamin had never been made. Likeas alſo, It is ſtatute and Ordained, That the ſuperplus of the Lands, Heritages, and Eſtate of the foreſaids forfaulted perſons (their Creditors foreſaids being ſatisfied in manner aboveſpecified) ſhall and may be divided in parcels, and ſold and diſponed by the Eſtates of this Kingdom, or by the ſaid Committee of Eſtates to any buyer whatſomever, paying preſent money over the Table, at the rate of one hundreth Merks of yeerly conſtant Rent for ilk ſum of One thouſand Merks, as the price thereof: And where preſent money for the Lands cannot be had nor offered, that then they may be ſold and diſponed to any perſon to whom the Publick is addebted, They advancing in ready money the one half, at ten years purchaſe, and accompting in payment of their debts, being lent money, or furniſhing to the Armies: the other half, at the rate of fifteene yeers purchaſe. Likeas, The ſaids Eſtates of Parliament, do by thir preſents, give full power and Commiſſion to the ſaid Committe of Eſtates, To divide the Lands, and others of the foreſaids forfeited Perſons; And to that effect, To take up the juſt and true Rentall thereof, and to eſtimat and convert Victuall and other Rent (not being ſilver Rent) and to redact the ſamine to money Rent, and to ſell and diſpone the reſidue and remainder of the Lands, Heritages, and Eſtates of the foreſaids forfeited Perſons to any Buyer, at the rate and in manner foreſaid. Likeas, The Eſtates of Parliament decerns and declares, That the Diſpoſitions ſo to be made thereof to the foreſaids Creditors above-ſpecified, and to the ſaids Buyers, ſhall be valide ſureties to them thereof, in all time coming. And ſiclike Ordains Infeftments to paſſe under the Great Seal, upon the foreſaids Diſpoſitions, to be made by the ſaid Committee of Eſtates, of the Lands and others, holden of the Kings Majeſtie, and Prince. And Preſentations to be granted by the ſaid Committee of Eſtates, to other Superiours, of ſo many of the foreſaids Lands, and others aboveſpecified, as are holden of the ſaids others Superiours.

XXII FEBRUARII.

ACT Anent the allowing of Quarters where the Quarter-maſters and Officers Tickets are not given.

THE Eſtates of Parliament having heard and conſidered the Quære from the Commiſſioners for the Exciſe, deſiring to be reſolved, what they ſhall do in this caſe, viz. When theſe people who has given Quarters to Souldiers comes in to the Commiſſioners of Exciſe, to make Compt and ſeek payment for their Quarters, and do not produce Tickets from the Officers under their hands, nor any publike Order for their Quartering; Together with the opinion of the ſaid Committee thereanent. 11

THE Eſtates declares, That where there is no Tickets left by the Officers or Quarter-maſters for the Quarters, In that caſe twa of the Kirk-Seſſion of any Parochine, with any ane of the Committee of War of the Shire where that Parochine lyes in Landward; And the Magiſtrates within Royall Burghs, or any twa of them, Shall take the Oaths of the Heretors, Tenants, and Inhabitants, on whom the Companies and Troops are Quartered, upon what is due for Quartering: Which being reported under the hands of theſe ſo appointed, Shall be ane ſufficient qualification to the Commiſſioners for the Exciſe to allow the ſame, that they may be paid accordingly.

XXVII FEBRUARII.

ACT Anent the Maintenance of the Armie, and Moneys to be raiſed for that effect.

12 THE Eſtates of Parliament now conveened, in the ſecond Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in Anno 1641. Taking to their conſideration the great prejudice and danger which the Kingdom and Religion have already ſuſtained, by the late Invaſion of the Iriſh Rebels, and our unnaturall Countreymen; and how neceſſarily it is incumbent to them being now conveened, to provide for all ſpeedy and ſolid remedies againſt the ſame: For which effect, finding it moſt expedient, That not onely this Kingdom may be put in ane juſt Poſture of Defence; but alſo, That ane conſtant and ſetled way may be eſtabliſhed for proſecuting, with Gods aſsiſtance, the War againſt the ſaids Invaders in an hoſtile manner, to their utter overthrow and deſtruction; Have therefore thought fitting for the more ſpeedy execution hereof, and for leavying and recruting their Forces after-mentioned, and for the conſtant Maintenance of the ſame in the moſt eaſie and proportionable equall way for the Lieges; To enact, ſtatute, and ordain: Likeas for that effect, they enact, ſtatute, and ordain thir preſents following, To be obeyed and obſerved by all the Subjects of this Kingdom, under all the pains hereafter expreſt.

IN the firſt, That the Country may be freed of Quarterings, Billettings, and Plunderings, and that the Laborers and Tradeſmen may do their labour at home, except upon extream neceſsity; It is thought fit for the eaſe of the Kingdom, and moſt certain for the pay of the Armie, That every Shire and Burgh ſhall entertain from the firſt day of March next to come, to the laſt day of Auguſt next thereafter incluſivè, a proportion of Forces, Horſe and Foot, as well Souldier as Officer, according to the rule of Loan and Taxt, extending in the particular to the number and ſums contained in the Rols following, which is declared to be the two part of the pay due to be paid within Scotland, to the Officers of Horſe and Foot, and to the Souldiers of Foot, and Fourteen ſhillings to the Trouper: The third to run in arrears to the ſaids Officers and Foot Souldiers, and Four ſhillings to the Horſe, and a proportionable part to the Dragooners.

HERE follows the tenor of the ſaids Rols, payable to the Officers of Horſe, Foot, and Dragooners, by the Shires and Burrows, conform to the diviſion and proportion following, viz. The monethly pay of ane Regiment of Horſe in their Quarters, being the two part of their Pay, conform to the Scots eſtabliſhment: Officers of the Staffe, Colonell per menſem 333 l. 6 s. 8 d. Lieutenant Colonel 200 l. Major 133 l. 6 s. 8 d. Miniſter 26 l. 13 s. 4 d. Regiment Quarter-Maſter 45 l. Chyrurgion 30 l. Eight Root-maſters, each of them 100 l. per menſem inde 800 l. Eight Lieutenants, each of them 45 l. per menſem inde 360 l. Eight Cornets, each of them 36 l. per menſem inde 288 l. Eight Quarter-maſters, each of them 30 l. per menſem inde 240 l. Twenty four Corporals, each of them 24 l. per menſem inde 576 l. Eight Trumpeters, each of them 20 l. per menſem inde 160 l. Six hundred Troupers, each of them 14 s. per diem, is 21 l. per menſem inde 12600 l. The monethly Pay of a Regiment of Foot in their Quarters, conform to the Scots eſtabliſhment, being two part of their Pay: Colonel per menſem 222 l. 4 s. 4 d. Lieutenant Colonel per menſem 133 l. 6 s. 8 d. Major per menſem 88 l. 17 s. 4 d. Miniſter per menſem 26 l. 13 s. 4 d. Regiment Quarter-maſter per menſem 30 l. Chyrurgion 30 l. Drummer-Major per menſem 12 l. Regiment Scriver per menſem 20 l. Proveſt Merſhal per menſem 12 l. Ten Captains per menſem 666 l. 13 s. 4 d. Ten Lieutenants per menſem 300 l. Ten Enſignes per menſem 240 l. Twenty Sergeants per menſem 200 l. Thirty Corporals per menſem 240 l. Ten Captains at Arms per menſem 100 l. Nineteen Drummers per menſem 152 l. Ane thouſand common Souldiers per menſem 6000 l.

FOLLOWS the ſums Monethly payable according to thirty dayes per menſem: Together with the number of men to be entertained by the Shires and Burghs according to the Taxt, viz. Orknay 127 men, monethly Pay 1143 l. Innerneſſe 464 men, monethly Pay 4176 l. Caithneſſe 105 men, monethly Pay 945 l. Cromarty 11 men, monethly Pay 99 l. Sutherland 47 men, monethly Pay 423 l. Nairne 35 men, monethly Pay 315 l. Elgine 210 men, monethly Pay 1890 l. Aberdene 727 men, monethly Pay 6543 l. Bamff 159 men, monethly Pay 1431 l. Kincardine 174 men, monethly Pay 1566 l. Forfar 556 men, monethly Pay 5004 l. Perth 889 men, monethly Pay 8001 l. Fyfe 738 men, monethly pay 6642 l. Stirling 282 men, monethly Pay 2538 l. Kinroſſe 16 men, monethly Pay 144 l. Clackmannan 58 men, monethly Pay 522 l. Edinburgh 463 men, monethly Pay 4167 l. Linlithgow 194 men, monethly Pay 1746 l. Hadington 376 men, monethly Pay 3384 l. Berwick 395 men, monethly Pay 3555 l. Roxburgh 642 men, monethly pay 5778 l. Selkirk 142 men, monethly pay 1278 l. Peebles 182 men, monethly pay 1638 l. Lanerk 598 men, monethly pay 5382 l. Aire 674 men, monethly pay 6066 l. Wigtoun and Stewartrie of Kircudbright 486 men, monethly pay 4374 l. Drumfreis 494 men, monethly pay 4446 l. Renfrew 245 men, monethly pay 2205 l. Dumbartan 137 men, monethly pay 1233 l. Argyle 328 men,

monethly pay 2907 l. Bute 51 men, monethly pay 459 l.

FOLLOWES the ſummes payable monethly, together with the number of men to be entertained by the Burrows; Edinburgh 574 men, at 6 s. per diem, inde per menſem 5166 l. Perth 110 men at 6 s. per diem, inde per menſem 990 l. Dundee 186 men, monethly pay 1674 l. Aberdene 160 men, monethly pay 1440 l. Stirling 36 men, monethly pay 324 l. Linlithgow 30 men, monethly pay 270 l. S. Andrews 60 men, monethly pay 540 l. Glaſgow 110 men, monethly pay 990 l. Air 41 men, monethly pay 369 l. Hadingtoun 36 men, monethly pay 324 l. Dyfert 30 men, monethly pay 270 l. Kirkaldie 46 men, monethly pay 414 l. Montros 53 men, monethly pay 477 l. Cowper 24 men, monethly pay 216 l. Anſtruther eaſter 31 men, monethly pay 279 l. Drumfreis 44 men, monethly pay 396 l. Innerneſſe 40 men, monethly pay 360 l. Breichen 20 men, monethly pay 180 l. Irving 23 men, monethly pay 207 l. Elgine 20 men, monethly pay 180 l. Jedburgh 18 men, monethly pay 162 l. Wigtoun 15 men, monethly pay 135 l. Pittinweyme 15 men, monethly pay 135 l. Dumferling 12 men, monethly pay 108 l. Dumbartan 12 men, monethly pay 108 l. Ranfrew 10 men, monethly pay 90 l. Lanerk 16 men, monethly pay 144 l. Kircudbright 20 men, monethly pay 180 l. Aberbrothok 10 men, monethly pay 90 l. Bruntiland 16 men, monethly pay 144 l. Peibles 10 men, monethly pay 90 l. Carrail 24 men, monethly pay 216 l. Kinghorn 14 men, monethly pay 126 l. Thayne 12 men, monethly pay 108 l. Selkirk 10 men, monethly pay 90 l. Anſtruther-weſter 6 men, monethly pay 54 l. Culros 12 men, monethly pay 108 l. Dumbar 12 men, monethly pay 108 l. Bamff 8 men, monethly pay 72 l. Whithorne 5 men, monethly pay 45 l. Forfar 6 men, monethly pay 54 l. Forres 6 men, monethly pay 54 l. Rotheſay 5 men, monethly pay 45 l. Rutherglen 5 men, monethly pay 45 l. Northberwick 4 men, monethly pay 36 l. Culane 4 men, monethly pay 36 l. Nairn 4 men, monethly pay 36 l. Lawder 5 men, monethly pay 45 l. Innerkeithing 10 men, monethly pay 90 l. Kilrynnie 3 men, monethly pay 27 l. Annand 3 men, monethly pay 27 l. Lochmaben 3 men, monethly pay 27 l. Sanchuer 3 men, monethly pay 27 l. Galloway 1 man, monethly pay 9 l. Queens ferrie 7 men, monethly pay 63 l.

ITEM, It is ordained for proſecution of the War againſt the Rebels within the Kingdom, That there be made up of the preſent Regiments upon Foot, by Recrues or otherways, 9000. foot, and theſe to be in Elleven Regiments, each Regiment in 8. or 10. Companies, and in each Company 100. men, and where they are to be recruted, That each Company be made up of 126 men, where the ſame may be commodiouſly gotten done. And that 600 Horſe be imployed in this Service, with their Officers and Commanders, to be made up and commanded as the Parliament and their Committees have given, or ſhall give order. And that the 500 Dragoneers, with a Lieutenant Colonel Major, and other inferiour Officers, to be divided in 8. Companies, and to be payed conform to the Roll of eſtabliſhment, which Officers and Souldiers are to be entertained at the Rates contained in the Table above-written, which they are to receive duely in money and proviſions monethly, The one half at leaſt in money, and the other half in Oat-meal, or other proviſions uſeful for the Army, at the ordinary Rates for the time. And for the better collecting and ingathering of the ſaids ſums of money, for payment and entertainment of the ſaids Officers and Souldiers: The Eſtates nominates and appoints Sir Adam Hepburn of Humbie Generall Collector, with power to him to ſubſtitute Deputes in ilk Shire, and that other Collectors in Burghs and Paroches be appointed in ſicklike manner, as is contained in the Act of Taxt and Loane; with power to the ſaid Generall Collector to appoint a Clerk of Collection; Which Collector-deputs, alſwel of Shires as of Burghs and Paroches and Clerk of Collection, ſhall have ſuch like Fees as is allowed in the ſaid Act of Taxt and Loane, and that to be uplifted out of the ſaid Shires and Paroches, by and attour the ſaid maintenance: And the Burghs to be free, in reſpect they collect their Taxt upon their owne charges.

ITEM, If any Shire, Burgh, or Perſon therein deſigned, be deficient in paying their monethly proportion, ſo that the Souldiers for want be put to Quarters in any other Shire or Burgh, In that caſe it is ordained, that the Shire or Burgh, who ſhall Quarter the Officers or Souldiers, ſhall have repetition of the failzies, with a third part more in name of failzie. And after compt and reckoning with the Commiſſar of theſe Regiments or Troupes, The Shires or Burghs ſhall have aſſignation pro tanto, and a third part more to their localitie for their relief and ſatisfaction: And incaſe of their refuſal, the Committe of Eſtates with the Army, is to give order thereanent to the Committe of War of the Shire, deſigned by the Eſtates, being conjunctly lyable for the proportion of the Shires, and the Magiſtrats of Burghs for the Burghs except for ſuch lands of Burghs, as ſhall be found by the Committee of Eſtates with the Army to be ſtil poſſeſſed by the enemy, or to have bin altogether waſted and burnt by them, ſo that they cannot be profitable to the Heritors, which deficiencie is to be ſupplyed by the Committee of Eſtates, out of the Fines, Forfeitures, or any other Moneys due to the Publick: And the Committee of Warre to have their relief of the diſobedients to the double, and als to have the aſſiſtance of the Forces, if they require the ſamine. And with power to the ſaids Committees of War in every Shire (who are here-

by declared to be lyable in the monethly maintenance due to the Souldiers) to call unto them any Heritor within their Shire reſpectivè, and to cauſe them binde with the ſaid Committee for all ſummes of Money to be contracted for the ſaid maintenance: But it is alwayes provided, That the Burghs that ſhall happen to bee upon the ſaids Committees of Warre of the Shire ſhall be no farther liable nor anſwerable for the maintenance due by the Shire, but allanerly for the lands pertaining to the ſaids Burgeſſes lying within the Shire, if they any have.

ITEM, To the effect that the Shires and Burghs be not deceived with falſe muſters, and ſo pay for men who are not really in ſervice, It is ordained, That theſe who ſhal be appointed for muſtering, ſhall monethly, as they ſhall be required, take a ſurvey of each Regiment and Company, as well Horſe, Foot, as Dragooners, and that the Shires and Burghs who ſhall pay their proportion, or ſhal happen to quarter them, may have one, with ſuch as ſhall be appointed by the Committee, to muſter them, if he be preſent with the Armie; otherwiſe, in abſence of that Muſter-maſter, the perſons ſo nominate by the Shire or Burgh, may muſter them: And theſe Officers who are required to muſter their men, and refuſes, ſhall forfeit their place and by-gone pay; And whatſoever Horſe ſhall be found to be made uſe of for making of falſe muſters, the Horſe ſhal be confiſcate, and the owner of the Horſe ſhall pay one hundred pounds to the Publike, whenſoever it ſhall be tried: And a Footman who ſhall be made uſe of for making of falſe muſters, ſhall be puniſhable by ſcourging or burning. And the Root-maſter, Captain, or any other Officer of Horſe, Foot, or Dragooners, ſhall be found guilty of ſuch falſe muſters, ſhall loſe his place inſtantly, and all his by-gone pay.

ITEM, It is ordained, That Magazines of Victuall be provided out of the moneyes to be raiſed in part of what ſhall be due, and put in convenient and ſure places of the Kingdom, from which it may be moſt commodiouſly carried to the Army: And that there be Provant Maſters appointed, as well for the North as for the South. And to the end that theſe Magazines may be timouſly provided, the Provant Maſters are appointed to go about the ſame diligently: And the Shires and Burghs are hereby ordained, before the firſt day of April next, To advance three moneths of the ſummes laid upon them. And becauſe by the preſent Stent laid upon the Shires, the burden may be unequall, which cannot preſently be known, in reſpect the valuations of Loan and Taxt are not come in, It is appointed, That the whole valuations within the Kingdom, not already brought in to the Clerk of the Loan and Taxt, be brought in before the firſt day of May next, done & perfected, conform to the Act of Convention made thereanent: And that they may be compared by ane perſon to be appointed for ilk Shire, and the comparing to be perfected betwixt and the firſt day of June next. And if it ſhall be found that ſome Shires maintains more Officers and Souldiers than others, they ſhall be eaſed thereof, and each Shire proportioned in an equall way, conform to their Rents And if the Shire ſhall failzie, and not bring in the valuations betwixt and the ſaid firſt day of May next, They ſhall not onely be debarred from any benefit or eaſe to be granted to them, but alſo ſhal bear the burden of any eaſe ſhall be granted to theſe Shires who ſhall be found to be overburdened. And for the Burrows part of this Taxt, it ſhall be rectified and altered, according as their Taxt Roll ſhall be altered.

ITEM, The Retention of ſix for the hundred of annual-rents to be for the yeer of God 1645. viz. From Martimaſſe 1644. to Martimaſſe 1645. Providing alwayes the annual-rents be fully payed within the ſame yeer 1645. otherwiſe no Retention to be granted by the Creditour, who notwithſtanding hereof, ſhall have power to charge his Debter at any Time, conform to his Band.

ITEM, That all Heritors of Land within Burgh, or Pendicles and Liberties thereof, all Burgeſſes, all Traffiquers exerciſing any Trade, ſhal be ſubject to Taxation within Burgh, but prejudice for the time to come of the whole Members of the Colledge of Juſtice, their former Rights, Priviledges, and Immunities, wherewith for the preſent in regard of the preſent Exigence they do diſpenſe.

ITEM, It is ordained, That no Suſpenſion be granted of any charge to follow upon this preſent Act, without a diſcharge from the party charger, or conſignation of the ſumme charged for, (if ſo be it be upon a ſpeciall charge) and whilk conſignation ſhall be made in the hands of the Collectors reſpectivè, viz. In the hands of the Collectors within the Shire for the Shire, and within the Burgh for the Burgh, Pendicles, and Liberties thereof, including within the Pendicles of Edinburgh, the Houſes, Tenements, and Yards within Leith, Cannigate, and Pleaſance, ſo far as pertains to the Town of Edinburgh in property or ſuperiority, and within the Pendicles of other Burrows, all that hath been in uſe to have been taxed with them: And all other Suſpenſions to be null; And that it be granted by the Committee of Eſtates. And theſe Suſpenſions to be paſt by the Clerk Regiſter, and his Deputes, upon production of the Diſcharge from the Collectors of the Shires or Burghs, or a Teſtificate that the ſummes were conſigned in their hands: And the ſame Suſpenſions to be diſcuſſed by the Committees or Eſtates of Parliament.

ITEM, It is ſtatute and ordained, That all Fines, Forfaultures, Moneys for Forfaulted Lands, Rents,

and others paſt and done in this Seſſion of Parliament, and in time coming, ſhall be imployed for the preſent uſe of the Army: As alſo that all Fines, Forfaulters, and Moneyes for Forfaulters, paſt and done in the former Seſſion of this Parliament, which are not already diſpoſed upon by the ſaid former Seſſion of Parliament, or their Committees, ſhall be likewiſe imployed for the uſe foreſaid.

IT is alwayes expreſſely declared, ſtatute, and ordained, That no Retention ſhall be granted of this preſent Maintenance hereby impoſed upon Shires, and Burghs, for any debt, cauſe, or occaſion whatſoever, and that no exemption ſhall be granted therefrom to any perſon or perſons whatſoever; except only for Lands, Rents, Annual-Rents, and other duties mortified to Colledges, Schools, Hoſpitals, Miniſters and Readers ſtipends, and for upholding of Kirks and Bridges, but that all other Heritors, Life-Renters, Takſmen, Titulars, Proper Wodſetters, Pentioners, Conjunctfiars, and Ladyterces, and others ſubject to the valuation within Shires or Burghs, whereby profit or commodity ariſeth, ſhall be lyable to their proportionable part of this Maintenance; And that the Lands and Teinds ſhal pay as they lye locally in Shires, and not by annexation, conform to the Act of Convention for Taxt and Loan.

FURTHER it is declared, That the payment of the ſaid Maintenance to be made by the Shires, ſhall begin the ſaid firſt day of March next to come, and pay for the firſt four moneths, conform to the former valuation, and thereafter as they ſhall be rectified and given in by the Shires, after the ſamine ſhall be reviſed by the former Valuers: For the which effect the Eſtates of Parliament renewes the former Commiſſion granted by Act of Convention.

AND finally it is Declared and Ordained, That the Letters and Charges to follow upon this preſent Act and Ordinance, ſhall be raiſed at the inſtance of the Generall Collector and his Deputes, againſt the Committees of Shires, and Magiſtrates of Burrows, and Letters for their relief, at the inſtance of the Committee of the Shire, and their Collectors, againſt Heritors, Fewers, Fermorers, in the common forme: And all theſe Letters to be direct in the ſame manner, with the ſame proviſions, and with the ſame certifications, contained in the Act of Convention of Eſtates, made for the Loan and Taxt.

XXVIII FEBRUARII.

ACT for relief of the Commiſsioners of Shires and Burghs, anent theſe Moneys which they preſently advance for Maintenance of the Army.

FORSAMEIKLE as the Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Taking to their conſideration, that the Commiſſioners for Shires, & the Commiſſioners for Burrows that are this day preſent, have undertane the advancement and payment of their proportionall parts of the firſt Moneths Maintenance for the Army for their Shires and Burghs, To be given in to the Generall Commiſſar, betwixt and the firſt of March next; Therefore the Eſtates of Parliament hereby aſſignes to the ſaids Commiſſioners of Shires and Burrows, and to ſuch Noble-men, Gentle-men, and Burgeſſes, as Bindes with the Commiſsioners reſpective foreſaids, for the preſent advancement & getting of the ſaid Money, The ſaid firſt Moneths proportion of the Maintenance appointed to be paid by the Act for Maintenance for the Moneth of March next to come, To be up-lifted and collected from their Shires and Burghs proportionally for their relief of that which is advanced now by them, as ſaid is. And the Eſtates Ordains ſicklike Letters and Execution to be direct at the inſtances of the ſaids Commiſsioners of Shires and Burghs, for payment of the foreſaid Maintenance for the Moneth of March next, as might have been direct at the inſtance of the Eſtates and their Collectors, if the ſamine had not been advanced, as ſaid is: And declares, that the ſaids Commiſsioners, and theſe who Bindes with them, ſhall have Annual-rent for the Money advanced by them, off their Shires and Burghs, fra the time of their advancement, while the repayment. 13

I MARTII.

ACT of Aſſurance to theſe that ſhall buy the Forfaulted Lands.

THE Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in Anno 1641. Conſidering, that they by their Act of the 20. of February laſt, have condeſcended upon the rate and price for ſelling of the Lands of Forfaulted perſons to ſick as are not their Creditors, to be ane thouſand Merks for every hundred Merks of yeerly 14

Rent; And for theſe who are Creditors to the foreſaids Forfaulted Perſons, To be Two thouſand Merks for every Hundred Merks of yeerly Rent, for ſatisfaction of their Debts: And this benefit given to the Buyers that are not Creditors, is to invite all willingly to buy at the rate foreſaid: And yet for their farther encouragement to buy the ſaids Forfaulted Lands at the price abovewritten, The Eſtates do hereby declare, That they will not onely eſteem the ſamine good ſervice to the Publick, and take it as a ſingular mark of their generoſitie, of their conſtancie in affection to the Cauſe in hand, and fidelitie to their Countrey; But alſo will give to theſe Buyers ſufficient ſecuritie and warrandiſe of the Lands to be diſponed to them; And by thir preſents bindes and obliges the Eſtates of this Kingdom, now, and in all time coming, To warrant the ſamine to be ſufficient Rights and Sureties to the Buyers, for bruiking of the ſaids Lands againſt all deadly: As alſo declares, That they will take, and hereby takes in their Protection the ſaids Buyers, againſt all perſons whatſoever, who ſhall quarrell, or preſſe to wrong them that buyes the ſaids Forfaulted Lands, or troubles the Buyers thereof, directly or indirectly, in the Right and Poſſeſſion of the ſamine. Likeas, the Eſtates declares the ſamine Perſons who ſhall directly or indirectly, wrong, quarrell, trouble, or moleſt the ſaids Buyers in their Right and Poſſeſſion foreſaid, To be Enemies to the Eſtates of the Kingdome, and to the Good and Peace thereof, And that the Eſtates will purſue and puniſh them accordingly, ſeeing theſe Perſons are to be eſteemed as Favourers of the Forfaulted Perſons, and Haters of the Eſtates, and Good of the Kingdome, and of the Cauſe in hand: And that the Malignancie, perfidious and wicked doings of the Forfaulted Perſons has occaſioned the Troubles and Evils that are upon this Kingdome, and in equitie and reaſon, they and their eſtates ought to ſuffer therefore, and be ſold & applied for the ſupply of the preſent neceſsities of the Kingdome, which may be a juſt encouragement to all honeſt men to buy the ſamine, that thereby the preſent Neceſsities of the Kingdome may be ſupplied by the Lands and Means of theſe who have wronged the ſamine. And farther, the Eſtates declares, That theſe who ſhall firſt come in and offer to buy, ſhall be preferred to all others of whatſoever qualitie, who ſhall come in thereafter, and offer to buy the ſamine Lands aimed at by the firſt Buyers.

III MARTII.

ACT in favours of the Manufactories, and of the Maſters Actuall Workers, Servants, and Prentiſes thereintill.

15 FORSAMEIKLE as the Eſtates of Parliament now conveened, in the ſecond Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in Anno 1641. Taking in conſideration the good and benefit That the Erecting, Entertaining, and Maintaining of Manufactories within the Kingdome doth produce, both to the credit of the Kingdome and profit of the Lieges, and for the breeding of poor indigent perſons in vertuous Exerciſes: The Eſtates for cheriſhing and incouraging of thoſe who have already Erected, or ſhall Erect and Advance any Manufactories, And herewith alſo the Eſtates conſidering the hinderance and prejudice that may come to the Manufactories by putting out any of the Maſters who are actuall Workers in the Manufactories, or their Servants, Prentiſes, or any other actuall Workers thereintill, In any Expedition or Leavies to be raiſed or put out by the Kingdome, or by Quartering of any Souldiers Horſe or Foot upon them, or impoſing upon them any Taxations or Impoſitions whatſomever.

FOR remeid whereof, The Eſtates Statutes and Ordains, That the foreſaids Manufactories, and the Maſters who are actuall Workers thereintill, their Servants, Prentiſes, and actuall Workmen in the ſamine, Are and ſhall be Liberate and free in all time coming, for going out as Souldiers either Horſe or Foot, in any Expedition or Forces raiſed or to be raiſed by the Kingdome now and hereafter. And diſcharges all Magiſtrates, Officers, and others perſons whatſoever, to Burgh or Land concerned hereintill, Off all troubling the ſaids Maſters actuall Workers, Servants, Prentiſes, and actuall Workmen in the foreſaids Manufactories hereanent: And of all Quartering of Souldiers Horſe or Foot upon them in any time hereafter, But ſuffer them peaceably to attend their Works untroubled thereintill. And further, The Eſtates declares the foreſaids Manufactories, the Maſters actuall Workers thereintill, Servants, Prentiſes, and actuall Workmen in the ſamine, Free of all Taxations, Impoſitions, and all other Publike dues, either already Impoſed or to be Impoſed, and ordained to be done or paid by order of the Eſtates of Parliament or Committees of Parliament, for the Publike ſervice of the Kingdome, in time coming, or during the time of the troubles of this Kingdome.

VI MARTII.

ACT anent the putting of the Kingdom in a Poſture of War, for Defence.

FORSAMEIKLE as in the moneth of September 16
1643. The Eſtates then conveened, conſidering the dangers of Religion, his Majeſties perſon and authority, and Peace of the Kingdom, by Papiſts, Prelats, and their adherents then in Arms in Eng-

land and Ireland, Did ordain the Kingdom to be put in a Poſture of Defence, and made choice of Colonels for Horſe and Foot, and appointed Committees within the ſeverall Shires and Bounds of the Kingdom for that effect; and for making perfect Liſts of the Fenſible perſons betwixt Sixtie and Sixteene, and ſeeing them provided with Armes conforme to the Act of Poſture then made. Likeas in the moneth of February 1644 thereafter, the ſaids Eſtates being ſenſible of the deſolations of Ireland, the blood-ſhed in England, and increaſing dangers of the Kingdome, which moved them to ſet forth an Armie in purſuance of the Covenant, and thereby to empty the Kingdome of great numbers of Armes and Ammunition, Did for ſtrengthning of the ſame againſt Inteſtine Commotions and Forraign Invaſion, renew and inlarge the ſaid Act of Poſture of Defence, and the execution thereof was often and moſt ſeriouſly urged by the Committee of Eſtates, upon incidents merely concerning the ſafety of the Kingdom; which notwithſtanding, by the ſecurity and neglect of the moſt part of the Countrey, hath taken ſmall effect, To the ſenſible and deplorable loſſe of the Kingdom, and advantage of the Enemie, ſpecially James Grahame ſometime Earle of Montroſe, the Iriſh Rebels, and others degenerate and perfidious Countrymen, who have cruelly killed and murdred great numbers of the Subjects, depopulate and waſted many parts of the Countrey, and are going on with full reſolution to undo the whole Nation, and overthrow the Liberties of Kirk and Kingdom, ſo happily eſtabliſhed by Gods mercifull providence. For remeid whereof, as all good Patriots and true Chriſtians ought to take this matter deeply to heart, and ſpare no pains, expences, nor their own perſons, in purſuance of their Covenant (to the which they are ſo ſtraitly tied before God and man) againſt this Inteſtine Enemy and Forraign threatned Invaſion: So the Eſtates of this Kingdom preſently conveened, finde themſelves bound in conſcience and dutie, to preſſe the ſaid Act of Poſture of Defence, and ſee the ſame preſently put in execution: And do therefore Statute and Ordain the Colonels and Committees of War foreſaid, appointed in each Shire, to muſter the whole fenſible perſons within the Shire upon one day, every Pariſh within ſome part of the bounds of their Presbyteries, to be deſigned by the Committees and Colonells, by whom ſome are to be appointed to make up the Liſt of the ſaids fenſible perſons, armed and unarmed, ſo as it may be known that none ſhall borrow Arms from others, and how many, and what ſort of Arms are wanting, and to be provided for every Shire. The Muſters of theſe be-ſouth Dee, to be betwixt and the laſt Tueſday of March inſtant, and theſe be-north Dee, betwixt and the tenth of April next: And ordains the Burrows within the bounds reſpective foreſaids, to make their Muſters within themſelves, conform to the former Acts of Convention, and to make their reports accordingly. And if any ſenſible perſons betwixt Sixtie and Sixteene be not already provided with Arms, It is hereby Statute and Ordained, That they ſhall arm themſelves ſufficiently againſt the ſaid Muſter day reſpective, under the pain of Twenty pound, to be paid by each perſon who ſhall be found by the Committee to want a Muſket and Sword, and able to buy the ſame; and Ten merks by each perſon able to buy a Pike, and wanting the ſame: And where neither Yeoman nor Servant is able to buy Arms; It is ordained, That their Maſter or Heritor of the Land ſhall be obliged to buy the ſame, and furniſh their men therewith, under the pains foreſaids. As alſo Statutes and Ordains the Committees of War in Ilk Shire, To provide and lay in Magazine Two pound weight of Powder, Four pound weight of Match and Ball, conform for every ſenſible perſon within the Shire: And that the ſaids Committees of War make report of their diligence to the Committee of Parliament, betwixt and the 15 of April next.

AND to the effect there may be a ſufficient number of trained men in each Shire and Burgh for the ends foreſaids, The ſaids Eſtates ordains the Colonels and Committees foreſaids, and Magiſtrates of Burgh, To reduce the whole fenſible perſons within their bounds, as well to Burgh as Land, into Regiments, Foot Companies, and Horſe Troops, conform to the former Printed Acts of the Convention, for putting the Kingdom in a Poſture of Defence. And ordains the whole fenſible perſons to be Drilled and Exerciſed in handling their Arms, every Regiment once in the moneth, and every Company and Troop once in the Week, at the places to be appointed by the Committees, Colonels, and Magiſtrates within Burgh: And that each Shire and Burgh ſhall entertain an able and expert Souldier, to have the care and inſpection of Exerciſing the Regiments and Companies of the Shire or Burgh. And in regard of the prevailing and raging cruelty of the preſent enemy within the Kingdom, Ordains the Captains of each Company to be provided with Colours and Drums, the Root-maſters with Trumpets and Cornets, to be in readineſſe upon orders from the Committee of Eſtates, to bring forth ſuch proportion of their Regiments, with ſufficient Furniture, Arms, and thirty dayes proviſion, as they ſhall be required: And to be ready to defend the Countrey, oppoſe any Invaſion, purſue the Invaders, and be aſſiſting and aiding to others, and ready to march to any place within the Kingdom of Scotland, where the Invaſion ſhall happen to be, or to ſuch places of Rendezvous as upon correſpondence amongſt theſe who command, ſhall be thought moſt fitting for oppoſing and purſuing the Enemie. And if any of the Heritors be aged and known to be infirm, That they ſend out able men with their beſt Horſe and Armes. And Ordains the whole Forces, Horſe and Foot, to be ready to march upon

advertiſement, by putting forth of Beacons upon the accuſtomed places, or ſuch other advertiſement as ſhall be given.

AND to the effect, the Forces of the Shires may be the better provided with Arms, and more ſpeedily and exactly brought forth; Ordains the Colonels, or Rootmaſters formerly appointed in the Shires, by the Convention of Eſtates and their Committes, to remain and continue in that charge in the ſaids Shires where they are nominat (except in the Sheriffdoms of Kincardin, Aberdene, and Bamff) the chief charge and command whereof is hereby committed to the Earl Marſhall, who is alſo to have his choice of any one of the Regiments, Horſe or foot, of theſe three Shires: And appoints the Earle of Finlater Colonell, and Laird of Aboyne his Lieutenant Colonell, within the Sheriffdome of Bamff, and the Viſcount of Frendraucht, Maſter of Forbes, Lord Fraſer, or the Maſter of Fraſer, to have command of the remanent Forces within the Sheriffdom of Aberdene, and to have their diviſions aſſigned to them as the Earle Marſhall and Committees of Warre in theſe bounds ſhall appoint: As likewiſe the ſame Diviſions and Conjunctions of Shires to ſtand. And likewiſe ordaines the whole Noblemen and Committees of War of the ſeverall Shires and Diviſions, to meet all in their own ſeverall Committees, in their ordinary place of meeting, within ſix dayes after the intimation hereof at the Market Croſſes of the Shires; And there to determine upon the ſaids Regiments, both Horſe and Foot, and according to the number of the ſame Horſe and Foot within ilk ſeverall Shire and Diviſion to appoint moe Colonels, Rootmaſters, and others Officers neceſſary for leading and commanding their Forces, Horſe and Foot, and to provide als many Arms and Ammunition as will arm all the able men in the Shire, either by giving preſent money for them, or Bands for the price thereof at a certain day, and they to have Letters of relief againſt the Heritors for repayment of the ſame: With power to the Committees foreſaids and Heritors, To diſtribute the arms in the ſeverall Shires and Diviſions to theſe perſons that wants. And ordains all fenſible perſons betwixt ſixtie and ſixteen to come forth upon advertiſement foreſaid under the pains following; viz. Ilk Nobleman, Gentleman, Heritor, and Burgeſſe, (except Edinburgh and Stirling, who are to put all the fenſible perſons in their Towne in Poſture of Defence) under the paine of a years rent; ilk Yeoman under the pain of confiſcation of their whole moveables to the uſe of the publick, and to be farther puniſhed as contemners of the Orders and authority of Parliament, and breakers of their Covenant. And ordaines ane Magazine to be provided by ilk Shire by the Committee of Warre, in one or moe places where they ſhall thinke the ſamine may be moſt ſecure, and the Heretors to be ſtented by them therefore, and the Burrows to provide Magazines within themſelves. And ordains this Act to be publiſhed.

VIII MARTII.

COMMISSION to the Committee of Eſtates.

THE Eſtates of Parliament now conveened, in the 17
ſecond Seſſion of this firſt Trienniall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in Anno 1641. Conſidering that by the 28 Act of the firſt Seſſion of this Parliament, Intituled, Commiſsion to the Committee of Eſtates of Parliament, There was Commiſſion then granted by the Parliament to the perſons therein nominate, Givand power to them or their Quorum, in manner, and to the effect particularly condiſcended upon in the ſaid Commiſſion: And generally to do all and every thing requiſite anent the ordering and managing of all affaires and buſineſſe which might conduce to the good and Peace of the Kingdom, and promoving of the common Cauſe, as is expreſſed in the Covenant and Treaties, as the Commiſſion in the ſelf more fully proports. And herewith alſo conſidering that the ſame Cauſes not onely ſtill remains, but are increaſed, which moved the Eſtates of Parliament in the firſt Seſſion of this Parliament to grant the foreſaid Commiſſion: Therefore the Eſtates of Parliament now conveened, do hereby nominate, authorize, and appoint the perſons following, viz. John Earle of Loudoun Lord high Chancellor of Scotland, Alexander Earle of Levin Lord Generall, and James Earle of Callender Lord Lieutenant Generall, as ſupernumerarie in this Commiſſion for the Nobility, and John Earle of Crawfurd and Lindſay, William Earle of Merſhall, John Earle of Sutherland, William Earle of Mortoun, Earle of Buchane, Alexander Earle of Eglintoun, William Earle of Glencairne, John Earle of Caſſils, Charles Earle of Dumfermling, John Earle of Kinghorne, James Earle of Tullibardine, Robert Earle of Roxburgh, Francis Earle of Bucleugh, George Earle of Seaforth, William Earle of Lowthian, David Earle of Southesk, John Earle of Weymes, William Earle of Dalhouſie, James Earle of Findlator, William Earle of Lanerk, Vicount of Arbuthnot, Vicount of Frendraught, John Lord Zeſter, John Lord Sinclar, Alexander Lord Elphingſtoun, Robert Lord Burghley, James Lord Cowper, George Lord Forreſter, Thomas Lord Kirkcudbright, Alexander Lord Balcarras, Andro Lord Fraſer, John Lord Barganie, and Patrick Lord Elibank: Sir Patrick Hammiltoun of Preſtoun, M. Robert Meldrum of Brughley, Sir John Sinclar of Hirdmeſtoun, Sir Robert Greirſon of Lag, Sir William Carmichael, Sir Thomas Nicolſon of Carnock, Patrick Cockburn of Clerkingtoun, M. Alex. Belſches of Toftis, Sir William Cochran

of Cowdoun, Sir John Crawfurd of Kelburnie, M. Francis Hay of Balhouſie, James Macdowell of Garthland, Sir William Forbes of Cragievar, John Birsbane of Biſhoptoun, Sir John Hope of Craighall one of the Lords of Seſſion, Sir John Hamiltoun of Beill, Hugh Campbell of Ceſnock, Brodie of that ilk, Sir Alexander Erskene of Dun, Sir Arthur Erskene of Scottiſeraig, Sir Pat. Hepburne of Wauchtoun, Sir Alexander Falkoner of Halkertoun one of the Lords of Seſſion, M. George Winrahame of Libertoun, Sir John Wauchope of Niddrie, Sir David Hume of Wedderburn, Sir William Scot of Harden, William Scot of Ardros, Sir William Dowglas of Cavers Sheriffe of Tiviotdaill, Sir William Mure of Rowallane, Sir John Hamiltoun of Orbeſtoun Juſtice-Clerk, one of the Lords of Seſſion, Sr Alex^r^ Schaw of Sauchie, Johne Udnie of that ilk, Sir Archibald Campbell, and Sir Alexander Gibſone of Durie Clerk of Regiſter, and Sir Adam Hepburn of Humbie To be ſupernumerarie in this Commiſſion for the Barons: Robert Mackeane Burgeſſe of Edinburgh, Sir William Dick of Braid, Colonell James Rae, Archibald Sydſerfe, John Binnie, and James Stewart Burgeſſes of Edinburgh, Robert Arnot Burgeſſe of Perth, Alex. Halyburtoun Burgeſſe of Dundee, M. Robert Farquhar and Patrick Leſlie Burgeſſes of Aberdene, Thomas Bruce Burgeſſe of Stirling, George Bell Burgeſſe of Linlithgow, John Lepar and James Sword Burgeſſes of S. Andrews, James Bell and George Porterfield Burgeſſes of Glaſgow, John Kennedie Burgeſſe of Air, Richard Chaiplane Burgeſſe of Hadingtoun, David Simpſone Burgeſſe of Dyſert, James Law Burgeſſe of Kirkcaldie, Tho. Macbirnie Burgeſſe of Drumfreis, George Jameſon Burgeſſe of Couper, Duncane Forbes Burgeſſe of Innerneſſe, Robert Tailzeor Burgeſſe of Montroſe, George Gardyne Burgeſſe of Bruntiland, M. Rob. Cunnighame Burgeſſe of Kinghorne, John Rutherfurd Burgeſſe of Jedburgh, William Lyoun Burgeſſe of Breichen, William Glendoning Burgeſſe of Kirkcudbright, Gideon Jack Burgeſſe of Lanerk, M. John Dowglas Burgeſſe of Elgine, John Semple Burgeſſe of Dumbartan, M. Alexander Dowglas Burgeſſe of Bamff; Edward Edgar Burgeſſe of Edinburgh, and James Pierſon Proveſt of Dundee ſupernumerary in this Commiſſion for the Burrows. And thir by and attour the ſaid John Earle of Loudoun Chancellor, Archibald Marqueſſe of Argyle, John Earle of Lauderdale, John Lord Balmerinoch, Sir Archibald Johnſtoun of Wariſtoun, Sir Charles Erskene, M. George Dundas of Maner, Sir John Smith Proveſt of Edinburgh, Hugh Kennedie Burgeſſe of Air, and M. Robert Barclay Burgeſſe of Irving, who are Commiſſioners appointed by the Parliament to go to London, and are alſo to be upon this Commiſſion as ane Committee of the Eſtates of Parliament, To whom, or Quorum ꝑof under-written, The ſaids Eſtates of Parliament, Renews, and hereby Grants the ſame Power, Commiſsion, and Warrand, in all points, heads, clauſes, and conditions contained in the foreſaid 28. Act of the firſt Seſsion of this preſent Parliament then granted to the Committee of Eſtates of Parliament, and conform to the tenor thereof, in every head and article of the ſame: Excepting onely herefra the Commiſsion now granted by the Eſtates of Parliament to Archibald Marqueſſe of Argyle, John Earle of Caſsils, John Lord Balmerinoch, Robert Lord Burghley, Sir William Cochrane of Cowdoun, M. George Dundas of Maner, M. Francis Hay of Balhouſie, Sir Michael Balfoure of Deanmylne, Sir John Smith Proveſt of Edinburgh, John Kennedie Burgeſſe of Air, George Gardyne Burgeſſe of Bruntiland, William Glendoning Burgeſſe of Kirkcudbright, or any five of them, ane being of every eſtate, and the Lord Chancellor, the Preſident of Parliament, and Sir Adam Hepburne of Humbie ſupernumerary in ꝑ^t^ Commiſſion; As ane Committee of Parliament for Inbringing and diſtributing of moneys, and for regulating of the publike Accounts and Burdens of the Kingdom, conform to the Commiſſion granted to them hereanent of the date hereof; With power and warrand thereby granted to them, in manner, and to the effect reſpective therein contained, which Commiſsion and power thereby granted is expreſly excepted fra this Commiſsion granted to the ſaid Committee of Eſtates. And farther, Becauſe there was ane Committee appointed by the Eſtates of Parliament, To conſider and try the yeerly rent and worth of the lands and eſtates of forefaulted perſons, with the quality of the rents and duties thereof, whether Victuall, Money, or other duties and caſualities, And to reduce the Victuall and other duties (not being ſilver duties) in money: And thereafter to try for buyers, according to the rate and prices ſet down in the Act of Parliament in the 20. of February laſt: And alſo to conſider and try the validity of the Bands, Writs, Rights, and Securities of the Creditors and Cautioners of the forefaulted perſons, with the truth, reality, and quantity of their debts and cautionries, that diſpoſitions might be granted to them of the forefaulted eſtates, at the price contained in the ſaid Act, In ſatisfaction of their debts, and to do every thing thereanent as might beſt clear the trueth, and be moſt uſefull for the Publike, To whom power was alſo given To conſider and try the rights and ſecurities to have been given in to them by the Ladies and wives of the forefaulted perſons, with their ſupplications, craving the benefit of their rights, notwithſtanding of the forefaulter of their husbands, and what proportion ſhould be given to theſe Ladies and wives, and upon what terms and conditions the ſamine ſhould be given unto them: Which tryall and conſideration, with the Committee their opinion thereanent, was ordained to be reported to the Parliament, or Committee of Eſtates after the Parliament, That there-

after ſick courſe might be tane concerning the ſamine, as the Parliament or Committee of Parliament ſhould think fit, as the Act granted to the Committee thereanent of the date the 28. day of February laſt proports, which Commiſſion now expires. Therefore the Eſtates of Parliament Renews, and hereby grants and adds the foreſaid power concerning the eſtates of forefaulted perſons To the Committee of Eſtates now nominate, With power to them or their Quorum foreſaid, to do every thing thereanent, as they ſhall think expedient and moſt uſefull for the Publike, in the ſame manner as the Parliament might have done if they were ſitting; But prejudice alwayes of the power contained in the foreſaid other Commiſſion granted to the Committee for inbringing and diſtributing of moneys, and regulating of the Publike Accounts and Burdens of the Kingdom, which with the power therein contained is excepted herefra, as ſaid is.

AND the Eſtates likewiſe conſidering how neceſſary it is, That a part of the foreſaid great Committee of Eſtates above-named remain with the Armie in England, and another part with the Armie within the Kingdom, and a third part thereof to ſtay at Edinburgh, Do therefore Nominate and appoint William Earle of Morton, John Earle of Caſsils, William Earle of Lowthian, John Earle of Weymes, Alexander Lord Elphingſtoun, John Lord Balmerinoch, Robert Lord Burghley, George Lord Forreſter, John Lord Barganie, Patrick Lord Elibank, Sir Patrick Hamiltoun of Preſtoun, Sir Robert Grierſon of Lag, Sir William Carmichael, Sir Thomas Nicolſon of Carnok, M. Alexander Belſches of Toftis, Patrick Cockburne of Clerkingtoun, Sir William Cochrane of Cowdoun, James Macdowell of Garthland, John Birsbane of Biſhoptoun, Sir John Hope of Craighall, Hugh Campbel of Ceſnok, Sir John Hamiltoun of Orbeſtoun, Sir Archibald Campbel, Sir John Smith Proveſt of Edinburgh, Rob. Mackeane, Sir William Dick, James Stewart, and John Binnie Burgeſſes of Edinburgh, Thomas Bruce for Stirling, George Bell for Linlithgow, John Lepar Proveſt of S. Andrews, James Bell for Glaſgow, John Kennedie for Air, Richard Chaiplane for Hadingtoun, George Gardyne for Bruntiland, M. Rob. Cuningham for Kinghorn, William Glendoning for Kirkcudright, Gideon Jack for Lanerk, and John Semple for Dumbartan. And ordains the whole remanent Commiſsioners above-named who are not appointed for the Committees under-written, viz. for the Committee that goes with the Army to England, and the Committee that goes to the north, with theſe that are in the Commiſſion to go to London, and theſe that are ſupernumerary to be upon this Committee that reſides at Edinburgh; as alſo upon the other tua Committees under-written, as they ſhall have occaſion: And likewiſe nominates and appoints John Lord Balmerinoch to be Preſident of this Committee reſiding at Edinburgh in abſence of the Lord Chancellor, and in abſence of them both Ordains this Committee to chooſe a Preſident, Or any ſeven of them, there being one of every eſtate, To be the Committee to reſide at Edinburgh: And do hereby authorise them with the full charge and whole power abovementioned, contained in the ſaid former Commiſſion, and now hereby added for the whole affairs within the Countrey, except before excepted. And Nominates and appoints Alexander Earle of Leven Lord Generall, James Earle of Calender Lord Lieutenant Generall, Archibald Marqueſſe of Argyle, Alexander Earle of Eglintoun, Earle of Buchan, Charles Earle of Dumferling, William Earle of Dalhouſie, John Lord Zeſter, Francis Earle of Bucleuch, John Lord Sinclar, James Lord Cowper, Thomas Lord Kirkcudbright, Sir William Mure of Rowallane, Sir David Hume of Wedderburne, Sir John Wauchope of Niddrie, Sir William Scot of Harden, Sir John Hamiltoun of Beill, M. Robert Meldrum of Brughlie, Sir Patrick Hepburne of Wauchtoun, Sir William Dowglas of Cavers Sheriffe of Tiviotdaill, Colonell James Rae, George Porterfield Burgeſſe of Glaſgow, Thomas Macbirnie Burgeſſe of Dumfreis, John Rutherfurd Burgeſſe of Jedburgh, James Sword Burgeſſe of S. Andrews, and David Simpſon Burgeſſe of Dyſert: And appoints Archibald Marqueſſe of Argyle to be Preſident of this Committee in abſence of the Lord Chancellor, and in abſence of them both Ordains this Committee to chooſe their own Preſident, And Sir Adam Hepburne of Humbie to be at this or any of the other Committees, as he ſhall have occaſion, Or any five of them, there being one of every eſtate, To be the Committee to remain with the Armie in England. As alſo nominates and appoints John Earle of Crawfurd, William Earle of Merſhall, John Earle of Sutherland, William Earle of Glencairn, John Earle of Kinghorn, Earle of Tullibardin, Geo. Earle of Seaforth, David Earle of Southesk, Ja: Earle of Findlater, William Earle of Lanerk, Vicount of Arbuthnot, Vicount of Frendraught, Alexander Lord Balcarras, Andro Lord Fraſer, M. George Winrahame of Libertoun, Brodie of that ilk, Jo^{n} Vdnie, Sir William Forbes of Cragievar, M. Francis Hay of Balhouſie, William Scot of Ardros, Sir John Crawfurd of Kilburnie, Sir Alexander Erskene of Dun, Sir Alex. Falconer of Halkertoun, Sr Alex^{r} Schaw of Sauchie, Sir John Sinclar of Hirdmeſtoun, Sir Arthur Erskene of Scottiſcraig, Arch. Sydſerf Burgeſſe of Edinburgh, Rob. Arnot Burgeſſe of Perth, James Pierſon Proveſt of Dundie, Alex. Halyburtoun Burgeſſe there, M. Robert Farquhar Burgeſſe of Aberdene, Pat. Leſlie Burgeſſe there, Wil. Lyoun Burgeſſe of Brechen, Rob. Tailzeor Burgeſſe of Montroſe, M. Alex. Dowglas Burgeſſe of Bamff, M. John Dowglas Burgeſſe of Elgine, Duncane Forbes Burgeſſe of Innerneſſe, George Jameſon Burgeſſe of

Cowper, James Law Burgeſſe of Kirealdie, And any one Burgeſſe that is upon the Committee for the money. And Ordaines John Earle of Crawfurd to bee Preſident in abſence of the Chancellor, and in abſence of them both, Ordaines this Committee to chooſe a Preſident; And Ordaines this Committee to meet at Perth on Fryday nixt the fourteenth of this inſtant, And Sir Adam Hepburn to be at this Committee, as he ſhall have occaſion, Or any five of them, there being one of every eſtate, To be a Committee to go alongs and remaine with the Army within the Kingdome, Which two Committees appointed for the Army in England, and the Army within the countrey are hereby authorized with the government of the affaires of the Armies reſpectivè, (Except ſo farre as concernes the power granted to the foreſaid Committee for the Moneys, Compts, and Burdens, as ſaid is;) And to give their beſt adviſe, counſell and aſſiſtanee, in what may conduce to the good and ſafetie of the ſaids Armies. And Ordaines all the ſaids three Committees, to keep correſpondence and intelligence with others anent their proceedings and condition of Affaires, and to give their orders and concluſions, in manner conteined in the foreſaid former Commiſſion, which is hereby renewed.

PROVIDING, That none of the Committees enter in Treaty anent the points and articles in queſtion betwixt his Majeſtie and the Eſtates of this kingdome, or betwixt the kingdomes themſelves, without conſent of a Quorum of the whole three Committees; And if any one of the Commiſſioners places ſhall vaik by deceaſe or otherwiſe, the Eſtates grants power to the reſt of the Quorum of that Committee To make choice of ane other of that ſame degree to ſupply the vaikand place, And grants power likewiſe to the ſaids Committees, and ilk ane of them as they ſhall have occaſion, To conveene ſuch Noblemen, Barons and Burgeſſes for their advice and aſſiſtance, as they ſhall think fitting. And if any matter of importance doth occurre, that requires the reſolution of the Eſtates, In that caſe, the Committee remaining at Edinburgh, Hath hereby power to call the Eſtates of Parliament; And the Eſtates Ordaines the ſaids Commiſſioners at their firſt meeting, To accept the Commiſſion, and give their Oathes for faithfull diſcharge of the truſt committed to them, And to fine ſuch of their number as ſhall not give diligent attendance on their meetings. And the Eſtates declares, that the generall Officers of the Armies, and William Thomſon Depute to the Theſaurer of the Armie, are hereby Priviledged to be preſent in all the ſaids Committees, as they ſhall have occaſion. And ſicklike, it is hereby delcared, that the whole perſons authorized in Commiſſion to the Kingdom of England, and every ane of them ſhall have place and vote in all the ſaids three Committees, as they ſhal happen to be preſent. And the Eſtates hereby holds firme and ſtable whatſomever things the ſaids Commiſſioners or Quorum foreſaid ſhall do, in manner, and for the ends contained in this and the other Commiſſion, whereunto this is relative, and according to the power therein contained; They being anſwerable to the Parliament for their proceedings in the foreſaid Commiſſion and Committees reſpectivè abovewritten, Which is to indure to the next Seſſion of Parliament. And the Eſtates addeth this power to the Commiſſion, viz. To exact three Dollors from everie Nobleman, two Dollors from every Barron, and a Dollor from every Burges for ilk dayes abſence from the Committees, within the times divided and appointed for their ſeverall attendance, according as ſhall be condiſcended by the ſaid Committee, With power alſo to the Committee to depoſe ſuch as they ſhall think fit for not attendance, in keeping of the dyets of the Commiſſion, and to put others in their place.

COMMISSION for inbringing and diſtributing of Moneys, and for regulating of the Publike Accompts and Burdens of the Kingdome.

THE Eſtates of Parliament now conveened in the 18
ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by His Majeſty and three Eſtates in Anno 1641. Having taken to their conſideration how neceſſar it is for advancement of the Publike Affaires of the Kingdome, and for the right ordering and regulating of the matter of Moneyes, and Publike Accompts, That a ſelect Committee be nominat, authorized, and intruſted by the Parliament, for ordering and regulating of the haill Publike Accompts, Debts, and Burdens of the Kingdome, And for bringing in of Moneys, and other Proviſion, and diſtributing the ſamine for the maintenance and entertainment of the Armies, and for the other publike and neceſſar Affairs of the Kingdome, conforme to the Commiſsion after mentioned. Therefore the ſaids Eſtates of Parliament hereby nominates, authorizes, and appoints the perſons following, viz. Archbald Marques of Argyle, John Earle of Caſsils, John Lord Balmerino, Robert Lord Burghley for the Noblemen. Sir William Cochrane of Cowdoun, M. George Dundas of Manor, M. Francis Hay of Balhouſsie, Sir Michael Balfoure of Denmylne for the Barons. Sir John Smyth Proveſt of Edinburgh, John Kennedie Burgeſſe of Air, George Gardine Burgeſſe of Bruntiland, and William Glendonning Burgeſſe of Kirkcudbright for the Burrows. And John Earle of Loudoun Chancellour, John Earle of Crawfurd-Lindſay Preſident of Parliament, and Sir Adam Hepburn of Humbie Generall Commiſſar ſupernumerarie in this Commiſſion. To whom, or any five of them, there being ane of every Eſtate: The ſaids Eſtates hereby grants full

Power and Commiſſion, To proſecute the wayes and means already laid down, for bringing in of Moneys for the uſe and entertainment of the Armies within this Kingdome, and for ſuch other neceſſar and urgent Publike Affairs thereof as ſhall occurre. And for that effect, To proſecute and follow forth the courſe already eſtabliſhed by the Act of Parliament for borrowing of Money. And to grant and ſubſcribe Publike Acts and Securities for the ſame, conform to the order formerly eſtabliſhed and obſerved, and to call for all by-run ſummes decerned already, and not payed, and to cauſe execute theſe Decrects; and to aſsiſt the generall Collector in calling in the Moneys and ſummes impoſed upon the ſeverall Shires and Burghs of this Kingdome, for the maintenance of the Armies, conform to the Act of Maintenance paſt in this preſent Seſsion of Parliament: And to call in the Accompts of the Rents, Summes, Goods, and others belonging to all Malignants and Forfaulted Perſons, Together with all other Accompts concerning the Publick, and to cloſe, allow, controll, or diſallow thereof, as they ſhall find the ſame juſt and reaſonable, and to give Commiſsions for uplifting and intrometting therewith, and to take ſecuritie for the ſame: And to call for payment and compt of all Reſpondies and Debts addebted and due by any perſon to the Publike: And with power to them to direct ſuch Orders, Letters, and Execution, as ſhall be neceſſar for inbringing of the ſaids Moneys, Compts, Reſpondies, Rents, and others foreſaids, belonging to the Publike, and to pronounce Decreets and Sentences thereanent, and cauſe put the ſame to execution, and to reduce the haill Compts and Debts of the Kingdome in ſuch order as the Debts and Burdens of the Publick may be known. And for the better clearing and regulating of the ſaids Publike Accompts and Debts of the Kingdome, With power to the forenamed perſons, or their Quorum foreſaid, To call for inſpection of the Regiſters, Records, and Warrands of all other Committees, To the effect that all Reſpondies may be exactly extracted forth thereof, and the perſons lyable therein, may be made comptable for the ſame: And with power to them, To call for, and receive the Warrants of all former Compts already paſt by the Parliament, or their Committees. Likeas the ſaids Eſtates of Parliament hereby commits and intruſts to the foreſaid Committee, The ſole and onely power of diſpoſing and diſtributing of all Moneys which ſhall come in and be due to the Publick: Together with the haill Rents and Duties of Lands, Summes of Money, Moveables, and others belonging to Malignants and Forfaulted perſons, with all fines and prices of Forfaulted Lands, and others whatſomever pertaining to the Publick, and to imploy the ſame in the firſt place for the Maintenance and entertainment of the Armies within this Kingdome, in manner after mentioned. And for this effect grants to them, The ſole and onely power, to give out and ſubſcribe Precepts for the pay and maintenance of the Armies, and for Intelligence, Poſts, buying of Arms and Ammunition, the Train of the Artillery Carriages, and ſuch other preſſing and urging Affairs as concerns the out-reik, expedition, and maintenance of the Armies allanerly. And Ordains every Precept to be ſubſcribed by a full Quorum of the ſaid Committee at the leaſt, which perſons ſubſcribers thereof, ſhall be anſwerable to the Parliament, That they ſubſcribe no Precepts but for the cauſes foreſaids, till the Affairs and maintenance of the Armies be firſt diſpatched and ſatisfied: Wherein if the ſaid Committee contraveen and failzie, The ſaids Eſtates of Parliament hereby declares and ordains the ſubſcribers of the ſaids Precepts, to be lyable in repayment to the Publick of all ſuch ſummes for which they ſhall draw Precepts for any other cauſe, till firſt the affairs and maintenance of the Armies be ſatisfied. With power to the ſaid Committee in the next place, To diſpoſe and grant Precepts upon borrowed moneys, and the Exciſe moneys, for other neceſſar uſes: The Armies being firſt payed and entertained, excepting alwayes theſe particulars contained in the Act of Parliament, which are ordained to be firſt paid out of the Exciſe, aſwell to Burgh as Land: And ordains them frequently to conſider the eſtate of the Publick Caſh, and what moneys are therein fra time to time, and to draw no Precepts but when there is money in the Caſhe to ſatisfie and anſwer the ſame. Likeas, the ſaids Eſtates Ordains the foreſaid Committee in their diſtribution and ordering of the payment of moneys to the Armies, to diſtribute the ſame equally, & to take ſuch conſtant courſe, as all Regiments of Foot and Horſe be put & keeped in equality of pay, either in Money, Proveant, or other Proviſion, according to their ſtrength and Muſter-Rolls, being muſtered, as is provided in the Act of Maintenance. And to the effect that both Officers and Souldiers of the Armies may know their own proportion due to them of all moneys to be payed to them, It is ordained, that all precepts to be direct by the ſaid Committee for that effect, ſhall bear in cumulo what proportion of the haill ſummes contained in the precept is allowed to be payd to the Officers; and what proportion thereof to the Souldiers of the Regiment, Troop, or Company for which the ſaids precepts are granted. And where matters of difficultie or importance ſhall occure, The ſaids Eſtates of Parliament Ordains the Committee of Eſtates to give their advice to the foreſaid Committee hereby appointed, as they ſhall neceſſarily deſire the ſame. And becauſe the Subjects above-written of the matters of Money, Compts, and Debts of the Kingdome will neceſſarily require conſtant and continuall attendance, and great care and pains to be taken by the Members thereof for the exact managing and regulating of the ſame

ſubjects, hereby intruſted to them. Therefore the Eſtates declares, that at their next meeting, they will take in ſpeciall conſideration their pains and charges, and give unto them preſent allowance for defraying the ſamine. And the ſaids Eſtates Ordains, That the Clerk to be appointed by the Clerk-Regiſter for this Commiſſion, ſhal have the truſt & keeping of the Reſpondie-Books, and of all the Accompts, Inſtructions, and Warrands thereof, which concernes the Publike. And if any of the ſaids Commiſsioners places ſhall vaike by deceaſe, or otherwiſe, the reſt of the Quorum, with advice of the Committee of Eſtates, ſhall have power to make choice of others of that ſame degree, to ſupply the vaiking places, one or moe: Which Commiſsioners ſhall at their firſt meeting accept this Commiſsion, and give their ſolemn Oaths for the faithfull diſcharge of that truſt hereby committed to them, and ſhall have power to fine ſuch of their members as ſhall not give diligent attendance, And which Commiſſioners ſhall bee anſwerable to the Parliament for their proceedings, fidelitie, and attendance in this Commiſſion, Which is to endure till the next Seſſion of Parliament. And the Eſtates declares, that the ſecurities to be granted to the Lenders of Money, by order of the foreſaid Committee ſitting at Edinburgh, ſhall be ſufficient being ſubſcrived by five, there being ane for ilk eſtate, Which is the Quorum of the ſaid Committee; And the ſecuritie to be granted to the Lenders of Money, by order of the Committee at the Army, or in the Countrey, ſhall be ſufficient, being ſubſcryved by three of the ſaid Committee, Together with any foure of the Committee of Eſtates being at the Army, there being one of every eſtate; And declares this Commiſſion to bee but prejudice to James Hamiltoun of Boiges, and James Stewart, anent their aſſignations of borrowed Money formerly granted to them, they accepting Deputations or Precepts from the Generall Commiſſioner, for uplifting the Moneys conteined in their aſſignations, and giving bands to be comptable to him; but prejudice of their aſſignations, as ſaid is.

ANENT Defeaſance for the Burnt and Waſted Lands.

19 THE Eſtates of Parliament now conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Conſidering That forſameikle as the Committees of Warre of the ſeverall Shires of this Kingdome are appointed by the Act made anent the Maintenance of the Armies to be ſent forth againſt the Iriſh Rebels, who have lately invaded this Kingdome, and their aſſociates, To be anſwerable for the proportion of the ſaid Maintenance impoſed upon their Shires, except the Lands poſſeſſed by the Enemie, or totolly burnt and waſted, as the ſaid Act at length bears. And conſidering That certain Noblemen and Gentlemen of the Shires have undertaken preſently to advance their whole firſt Moneths Maintenance of the ſamine Shires but any defalcation for the Lands within the ſamine Shires totally burnt, waſted, or poſſeſſed by the Enemy: Therefore do hereby Statute and Ordaine, That the Committee of Warre of the ſaids Shires ſhall have Defeaſance forth of their ſecond Moneths Maintenance foreſaid of their proportion thereof, which is due forth of the Lands or Burghs within the ſamine Shires poſſeſſed by the Enemie, or totally burnt and waſted, both for the firſt and ſecond Moneths Maintenance foreſaid, and ſo forth Monethly thereafter, during the time of the ſaid Maintenance. And for the clearing thereof, doe hereby give power to the Committee which goes with the Armie, after due tryall, To ſet down a Roll or Inventar of the particular Lands or Burghs of the ſaids Shires totally burnt, waſted, or poſſeſſed by the Enemie, and of the ſeverall proportions of the ſaid Monethly Maintenance due forth thereof, and to ſend the ſamine to the Collector of the ſaid Maintenance, ſubſcribed by the Preſident of the ſaid Committee, and by the Clerk thereof. And declares, That there ſhall be no Retention while the loſſes be declared.

ACT Salvo Jure Cujuſlibet.

THE Eſtates of Parliament now conveened in 20
the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering That in this preſent Seſſion of Parliament, there are many Particular Acts, and Acts of Ratification, made in favours of particular Perſons, Which may be prejudiciall to the parties having intereſt and not heard; Albeit the meaning of the Eſtates be at this time, as it was ever in all preceding Parliaments, that by no Particular Act, or Act of Ratification granted to any particular Perſon, any other parties ſhould be hurt or prejudged of their lawfull Rights and Defences, competent to them of the Law. For remeed whereof, It is Statute and Ordained, That no Ratification or other particular Act whatſoever made in favours of any particular Perſon in this preſent Seſſion of Parliament, Be prejudiciall to any other parties Rights or Defences, competent to them of the Law; But that the ſaids Particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes underſtood, Salvo Jure cujuſlibet.

ACT of continuation of the Parliament to the ſecond Tueſday of July next.

21 THE Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in Anno 1641. Continues this preſent Parliament, and all Summonds, proceſſes, and Actions belonging thereto, which are not remitted to the Committee of Eſtates of Parliament, while the ſecond Tueſday of July next to come: At the which day, or ſooner, as the Committee of Eſtates or Quorum thereof ſhall appoint, Ordains the whole Eſtates to be preſent, and to attend at Edinburgh, or where it ſhall happen the ſamine to be holden for the time. And in the meane time, The Eſtates declares this preſent Parliament currant to the day forefaid: And Ordains the whole Acts and Statutes made and concluded in this Seſſion of Parliament, To ſtand, and have the force and ſtrength of Lawes and Acts of Parliament, conforme to the tenors thercof, Sicklike as any Acts and Statutes of any preceding Parliaments in any time bygone. And Ordaines publike Proclamation to bee made hereof at the Market Croſſe of Edinburgh by ſound of Trumpet.

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22 ACT appointing the Preſident of Parliament to bee Preſident, and Supernumerary in all Committees.

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23 COMMISSION to the Committee anent borrowing of money and Malignants rents.

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24 COMMISSION for diſcuſsing the reliev ance, and receiving of probation of the ſummonds and Dittayes againſt Delinquents.

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25 ACT of approbation to the delegat Committee in the firſt Seſsion of this Parliament.

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26 COMMISSION for aſsiſting Lieutenant Generall Baillie.

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27 DECREET of forfaulter againſt the Earle of Montroſe and his aſsiſtants, for their invaſion in the South.

DECREET of forfaulter againſt Montroſe and his aſsiſtants, for the invaſion in the North. 28

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ACT anent the Delinquents at Newcaſtle. 29

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ACT for tranſplanting of the Kirk of Kirkmabrek. 30

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APPROBATION to the Sheriffe of Teviotdail. 31

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APPROBATION to the Marques of Argyle. 32

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ACT anent the Sheriffe and Sheriffe Clerk of Air. 33

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ACT anent the erection of a new Kirk for the landward Parochine of Saint Andrews. 34

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COMMISSION for the Lady Alexander, and remanent creditors of the Earle of Stirling. 35

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ACT of approbation to the Lord Burghlie, and remanent Committee for the north. 36

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DECREET of forefaulter againſt the Earle of Carnwath. 37

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COMMISSION to Sir John Hurrey. 38

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COMMISSION to Lievetenant Generall Baillie. 39

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COMMISSION in favours of Robert Keith Wryter. 40

41 WARRAND to the Lord Humbie for collection of the monethly maintenance.

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42 RATIFICATION of James Stuarts pardon anent the killing of the Lord Kilpont.

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43 RATIFICATION of Lieutenant Generall Baillies Commiſsion.

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44 ACT of approbation of the Lord Humbies accompts.

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45 RATIFICATION of the Act of Counſel, for apprehending and detaining of Coll. Mackgilleſpick, and his ſons.

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46 RATIFICATION to Sir James Lumſden of his Commiſsion to be governour of Newcaſtle.

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47 ACT in favours of Sir William Dick.

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48 ACT in favours of the Marques of Argyle.

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49 DECREET of forfaulter againſt George Marques of Huntlie.

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DECREIT and ordinance of Parlia^t anent Johne Erle of Traquair

50 IN THE PARLIAMENT haldin at Edinburgh the Aucht day of march the yeir of god J^m vj^c fourtie fyve yeiris Be the eſtates of parliament now conveened in the ſecond ſeſſion of this firſt trienniall parliament be vertue of the laſt act of the laſt parliament haldin be his ma^tie and the thrie eſtates in anno 1641. ANENT the ſumondis raiſit at the inſtance of Sr Thomas hoip of craighall kny^t barronet his ma^ties advocat Sr Thomas nicolſone of carnok maſters Rodger mowat Alexander peirſone James baird and Thomas nicolſone advocats prō^t for the eſtates of this kingdome AGANIS Johne erle of Traquair &c^r Quhairby he was ſumond To haue compeired before the parliament at ane certane day of lang tyme by paſt To haue hard and ſene it fund and declarit That he hes loiſte all the favo^r granted to him be his ma^tie and eſtates of parliament In the actis of parliament eſtirſpēit And conſequentlie To haue hard and ſene doome and ſentence given aganis him conforme to ane formar ſumondis raiſed for that effect againſt him before the Laſt parliament and fund relivant and provine be ane cōmittie of eſtates of that parliament In maner ſpēit in ane act made be the ſaid cōmittie theranent vpon the laſt day of ffebruar J^m vj^c fourtie tua yeiris Quhilk w^t the formar ſumondis ar Repeitted heir as ane pairt of this lybell And ficlyik To haue hard and ſene the eſtates of parliament proceed aganis the ſaid Jo^n erle of Traquair vpon the haill remanent pointis of the formar ſumondis To the finall deciſion p^rof and to deceme p^rin conforme to the ſaid formar ſumondis in all pointis for the crymes factis and deidis particularlie and gn̄allie p^rinſpēit and all other crymes of that kynd which may be layed to his charge And to have hard and ſene him declared in parliament be the eſtates p^rof To be guiltie of þe ſamen And thairfore To have incurred the pane of high treaſone againſt his mātie his crowne and eſtates of this kingdome and the pane of forfaultrie of lyfe landis and guidis to be applyed to the vſe of the publict or vtherwiſe cenſured in the option and arbitriment of the parliament by ffyneing confyneing or otherwyſe as the parliament ſould think expedient VNDER the pane of Treaſone and forfalto^r or other pane to be inflicted be the parliament at thair arbitrement With certifica^une Iff he compeirit not The eſtates of parliament wald than proceed againſt him as ane rebell and traito^r and guiltie of Treaſone To the forfalto^r of his lyfe landis and eſtate to the vſe of the publict And that his abſence and contumacie ſould be haldin as ane manifeſt proba^une of his guiltines without neceſſitie of anie farder proba^une Bot if he compeirit and remaned p̄ſt at the haill dyets of the proceedo^r Than the parliament wald proceed againſt him vpon lau^ll proba^une To the forfaulting of his lyfe landis and guidis or otherwyſe by puniſhing and cenſureing him according to þe nature and qualitie of the crymes and maleverſations in the option and at þe abitrement of the parliament And alſe the ſaid Johne erle of Traquaire To haue hard and ſene him declared To haue cōmitted the other crymes and offences eſtirſpēit and to be culpable or acceſſorie or art and pairt of and to the ſamen In maner eſtirmentioned AND thairfore To heir and ſie him decernit To have incurred the pane and puniſhment of high treaſone And that becaus be the 33. act of the laſt parliament haldin in anno J^m vj^c fourtie ane yeiris IT is declared That the eſtates of parliament Conſidering That wheras albeit the ſaid Johne erle of

Traquair and the other perſones conteaned in that act ar cited before them and accuſed as guiltie of diverſe hyneous and treaſonable crymes cōmitted be them againſt the cōmoune well whilk they have juſt reſſone to proſecute Nevirþeles the eſtates of parliament taking to thair conſideration his Maties gratious goodnes towardis his native kingdome In compoſing of all paſt differences and provyding for the future to the great happines of all his ſubjectis Doe in retribution thairof To teſtifie thair thankfulnes to his mātie declare That for acquytting þ^mſelfis of thair oathe They will onlie proceed to the exact tryell of the ſaidis parteis by a cōmittie appointed and authorized by the king and parliament and declares they will not proceed to a final ſentence nor inſiſt vpon þe puniſhment of theſe perſones Bot that they doe for the reaſones foreſaidis frielie remitt þ^m to his mātie In the q^lk act his mātie did declare That he wald not employ anie of the foreſaidis perſones contenit in the act In offices or places of court or ſtate without conſent of parliament nor grant them acceß to his Maties perſone wherby they might interrupt or diſturb the firme peace whiche was than ſo happilie concludit And thaireftir be ane other act of þe date the ſextene day of november J^m vj^c fourtie ane yeir^ Iis mātie and eſtates of parliament ordaned theſe perſones mentioned in the foreſaid act wha wer then cōmitted in the caſtle of Edinburgh To be put to libertie furth þ^of They and euerie ane of þ^m ffinding ſufficient caution to behave themſelfis in ſuche a quyet maner as may conduce for the well and peace of the kingdome and according to the actis of parliament wherein if they failȝie The favo^r granted to them be the king and parliament to be null And alſe they and ilk ane of þ^m ffinding caution to appeare before the cōmiſſionar^ appointed for tryall of the Incendiaries and plotters whenſoever they ſalbe requyred And as for ſuche of theſe as wer cited and out of þe cuntrie Incaice any of þ^m ſould returne They ſould be obleiſt to find the lyke caution with the lyke certifica^une whilk caution ſua to be fund by theſe perſones returning Is ordaned be the ſaid act to be reſſaved by the Lordis of his hienes privie counſell And it is thairin declared That vpon the finding of the ſaid caution theſe perſones ſall have libertie of thair perſones and that the act for the caution þ^inmentionat ſould onlie ſtand obligatorie aganis the caū^r during the tyme of the foreſaid cōmiſſion appointed for tryell whilk is onlie to the ffirſt day of march J^m vj^c fourtie tua yeir^ And thaireftir George erle of kynnoull and dauid erle of Southeſk Became bund and obleiſt as caū^r for the ſaid Johne erle of Traquair conjunctlie and ſeverallie That he ſhould behave himſelfe in ſuche a quyet maner and way as might conduce moſt for the peace of this kingdome and according to the actis of parliament wherin if he failȝiet The favo^r granted to him be the king and parliament to be null As lykewiſe That the ſaid Johne erle of Traquair ſould appeare before the cōmiſſionar^ appointed for tryall of þe Incendiareis and plotters as he ſould be requyred thairto according to the tenor of the ſaid act of parliament in all pointis As the band of caution dated the aucht day of december J^m vj^c fourtie ane yeir^ and Reḡrat in the buikis of privie counſell the ſaid day at mair lenth beiris Lykeas thair was ane cōmiſſion granted to certane of the eſtates of parliament and vþ^r þ^incontenit To proceid in all farder examina^une of the pointis of þe crymes conſiſting in facto and that by examina^une of witneſſ^ by writ and vþ^r proba^une competent of þe law And alſe To call and conveene before them the ſaidis defenders And with power to the cōmiſſionar^ to proceid in the cognition and tryall of the premiſſ^ layd to their charge To the diſcuſſing of the relivancie of the ſumondis Intentit againſt them and to the reſſaveing of all laufull proba^une in the ſaidis crymes provyding alwayis that the ſaidis perſones cōmiſſionar^ Sall not proceid to anie deciſion in the ſaidis pointis or crymes or to pronunce anie ſentence convictive aganis the ſaidis perſones defendar^ Bot onlie ſall doe thair diligence in diſcuſſing the relivancie and reſſaveing all legall probation þ^vpon and to mak thair report concerning the relivancie and how farre they find the ſamen proven or not without pronuncing anie farder ſentence againſt them And that the ſaidis cōmiſſionar^ Haveing met and conveened conforme to þe tennor of the ſaid cōmiſſion and haveing gone on and takine tryall anent the relivancie and proba^une of the crymes contenit in the ſumondis raiſit aganis the ſaid Jo^n Erle of Traquair and the vthers perſones defenders foreſaid ſua mekle þ^of as the cōmiſſionar^ could attaine vnto Inreſpect of the ſhortnes of tyme allotted to them for ſo great ane buſſines The ſaidis cōmiſſionar^ Hes fund the foreſaid ſumondis and ſeverall deidis and crymes thairincontenit lybellit againſt the ſaid^ defender^ reẍiue Relivant and provin As the ſamen contenit in thair ſaid report at mair lenth beiris AND ALBEIT the ſaid Johne erle of Traquaire and the ſaidis other perſones defender^ incendiareis and plotters Iff they had obſerved and keeped the conditions whervpon the favo^r was ſhawne and granted to þ^m be his mātie and parliament as they did not No ſentence could follow vpon the tryell before the cōmittie bot according to the ſaid act Bot the ſaid Erle of Traquaire haveing contravenit the conditiones contenit in the ſaid act In maner following Thairfore the doome and ſentence Is ȝit to be given be the eſtates of parliament And the ſaidis eſtates of parliament ſould proceed aganis the ſaid Johne erle of Traquair vpon the haill remanent pointis of the foreſaid formar ſumondis baithe in relivancie and proba^une and decerne thairin as effeiris according to law Juſtice equitie and reaſone BOT SUA IT IS That the ſaid Jo^n erle of Traquaire Hes contraveened the conditiones of the foreſaid act liberatorie In ſua far

as he hes takine the boldnes To paſs to court and to accede to his mãties perſone and thair hes remaned ſeverall ſpaces without conſent of the parliament againſt his mãties declaration aboneſpëit made in parliament in the contrare vĩz In the monethis of Januar februar march apprile maij and remanent monethis in the yeiris of god 1642. 1643. and 1644 yeirꝭ or ane or vther of the ſaidis monethis SECONDLIE the ſaid Johne erle of Traquaire haveing been cited to ſubſcryve the ſolemne league and covenant He hes bene contumax and hes nawayis obtempered the ſaid citaᵒune ffor the whilk caus the Lordis and vþᵉ cõmiſſionarꝭ of the eſtates Be thair decreit ſentence and declaration given againſt him for not ſubſcryveing of the ſaid ſolemne league and covenant vpon þe tuelt day of Januar Jᵐ vjᶜ fourtie foure yeirꝭ Hes declared him ane enemie to religion his mãties honoʳ and peace of the kingdome And ordaned his haill moveable guidis and geir to be confiſcat for the vſe of the publict And that he ſould not enjoy anie benefite place nor office within this kingdome And ordaned him to be farder puniſhed accordinglie In maner contenit in the decreit As at mair lenth is contenit in the foreſaid prinᵗˡ ſumondis raiſit in the ſaid matter QUHILK SUMONDIS and execuᵒunes þof Being publictlie Exhibite In pũs of the parliament in the firſt ſeſſion þof vpon the fourt day of Junij laſt bypaſt be the ſaid Mʳ Thomas nicolſone ane of the prõꝭ of the eſtate compeirand perſonallie for himſelfe and in name of the remanent prõꝭ abone namit of the eſtates of this kingdome at whais inſtance the foreſaid ſumondis is perſewit And the ſaid Johne erle of Traquair and ſundrie vþᵉ perſones contenit in the foreſd ſumondis and in ſeverall vther ſumondis that day producit Being all lauſullie ſumond conforme to the ſaid ſumondis To have compeirit before the eſtates of parliament to þe effect abone ſpëit WAS then thrie ſeverall tymes publictlie called in audience of the parliament and at the maiſt patent doore of the parliament hous be the maiſſers of parliament COMPEIRIT NOT Bot was contumacious thairof and of the charge and citaᵒunes given to the ſaid Johne erle of Traquair and vþᵉ perſones foreſdꝭ as ſaid is Quhairvpon the ſaid Mʳ Thomas nicolſone for himſelfe and in name of þe remanent prõꝭ of eſtate than aſkit inſtrumentis THAIREFTIR THE SAIDIS ESTATES of parliament vpon þe day of Julij laſt bypaſt Gave power and warrand To ane cõmittie of the ſeverall eſtates of parliament To conſider advyiſe and diſcuſs the relivancie of the foreſaid ſumondis abonewĩin and of the vther ſumondis mentionat in the cõmiſſion granted heirannent And to reſſave the probaᵒune þof and thairefter to report to the parliament Quhairvpon that cõmittie Haveing accordinglie conveened and called before them the ſaidis prõꝭ of the eſtates As alſo haveing cauſed diverſe tymes publictlie call the ſaid Johne erle of Traquaire wha did not compeir THE SAIDIS Sʳ Thomas hoip of craighall his mãties advocat and remanent prõꝭ abonenamit for the eſtates COMPEIRED before the ſaid cõmittie And for inſtructing of the ſumondis REPEITTED AND PRODUCED the foreſaid ·33· act of the laſt parliament with the act liberatorie act of caution and decreit aboneſpëit Together wᵗ the depoſitiounes of ſundrie famous witneſſ reſſaved ſworne and examinat vpon the pointis of þe ſaid ſumondis anent the ſaid Johne erle of Traquaire his acceſſion to his mãties perſone And Repeitted the ſamen writtis and depoſitiones for proving of the foreſaid ſumondis aganis the ſaid Johne erle of Traquair Quhilk ſumondis wᵗ the probaᵒune foreſaid producit and repeittit for proving þof Being at lenth conſidered and advyiſſed be the Lordis and vþᵉ cõmiſſionarꝭ nominat vpon the foreſaid cõmittie THEY Be thair Reporte dated the tuentie fyiſt day of Julij laſt ſubſcryved be the preſident of that cõmittie FAND that member of the foreſaid ſumondis Beirand the ſaid Johne erle of Traquaire being cited to ſubſcryve the ſolemne league and covenant To have bene contumax and did nawayis obtemper nor obey the ſaid citaᵒune And thairfore Is declared ane enemie to religion his mãties honoʳ and peace of the kingdome and his guidis and geir ordanit to be confiſcat to the vſe of the publict And that he ſall not enjoy anie benefite place nor office wᵗin this kingdome and he to be farder puniſhed accordinglie RELIVANT AND PROVINE To inferre the certificaᵒune contenit in the act of convention of eſtates vĩz That he ſalbe eſteemed and puniſhed as ane enemie to religion his mãties honoʳ and the peace of thir kingdomes and his guidis and geir confiſcat for the vſe of the publict And that he ſall not bruik nor enjoy anie benefite place nor office wᵗin this kingdome And as to that point of the foreſaid ſumondis Quhairby the ſaid Johne erle of Traquair Is craved to be decernit and declarit To have amitted the benefite of the ſaid 33 act of the laſt parliament Be reſſone of his acceſſion to þe kingis perſone The ſaidis cõmiſſionarꝭ ffindis the ſame ſufficientlie provin and Referris the conſideration of the relivancie of that point of the ſumondis and what cenſure may be concludit thairvpon To the honorable eſtates of parliament As the foreſaid report beiris QUHILK Report Being producit from the ſaid cõmittie in the end of Julij laſt the firſt ſeſſion of this parliament And than red in audience of the parliament with ane ſuplicaᵒune than given in be the Lord Lyntoun humblie Repreſenting That the Erle of Traquair his faþʳ was evir willing and than was readie to ſubſcryve the foreſd league and covenant if he could have ſafe acceß and craving that his ſaid father might be admitted to ſubſcryve the ſame And that his faþʳ or he for him might be hard to cleare anie doubt or ſcruple that might ſeeme to reflect vpon anie miſcariage quhairby the favoʳ foreſaid granted to him might be inferred to be loiſt

Lykeas the ſaid Reporte Being ſundrie tymes motioned and called in audience of the parliat in this p̃t ſeſſion þof And the foreſaid ſuplicaõune and deſire þof Being lykewiſe Renewed be the Lord Lyntoun The ſamen report wt the ſuplicaõune was Remitted be the parliament To be conſidered be the ſeverall eſtates at their meittingis in thair ſeverall bodies And thaireftir Being of new Reported and motioned in audience of the parliament eftir conſideration of the ſeverall bodies The parliament appointed ane cõmittie conſiſting of tua of euerie eſtate To heir the Lord Lyntoune vpon the deſire foreſaid of his ſuplication And that cõmittie Haveing accordinglie mett and hard the Lord Lyntoun vpon his deſire foreſaid THEY MADE repôrt in audience of the parliament That the ſaid Lord Lyntoune had ſhawen to them ſundrie pregnant and Important reſſones for cleareing of his father of that layed to his charge Bot with all DECLARED That he not being deſirous to ſtand in termes of oppoſition wt the parliament bot rather to adhere to thair favor and goodnes He willinglie offered to give to the parliament for the vſe of the publict ane conſiderable ſowme QUHAIRVPON Eftir That the eſtates in thair ſeverall bodies Had conſidered the foreſaid report and offer THE SUPPLICAOUNE VNDERWR̃IN was this day given in and producit in parliament and publictlie red in audience of the eſtates thairof Quhairof the tenor followis. WNTO the honoll eſtates of parliament Humblie meanes and ſhawis yor Lo / ſrvitor Johne erle of Traquaire That qr it pleaſed the honoll eſtates of parliament be the act of his mãties parliament in anno 1641. To Remitt me frelie to his mãtie Since whiche tyme I have endeavoured to ſua carie myſelfe as becomes a good loyall patriot And if anie thing hes eſcaped me that hes given offence to yor Lo / the eſtates of the kingdome I am heartilie ſorie for the ſame And whairas thair is a proceſß intentit and depending againſt me at the inſtance of the prõr of the eſtate wherein albeit I am confident [if] yor Lo / greater affaires might allow me a full hearing to cleare my ſelfe of any hard opinion or charge that is conceaved or lybellit againſt me zit being ſtill ſorie that ony thing ſould have eſcaped me that hes given offence to yor Lo / I am loathe to appeare in anie way of oppoſition to the publict and ſua confident of yor Lo / goodnes I rather chooſe to be a petitioner then defender Heirfore not inſiſting vpon anie defences bot ſuche as yor Lo / of yor ſelfe in juſtice may conceave if zow ſalbe pleaſed to tak notice of my cariage and great and heavie ſufferings I have recourſe to yor Lo / Juſtice and goodnes humblie beſeiking yor Lo / To be perſwadit of my affection and devotion to þe puritie of religion and my native countrie and ſincere and conſtant reſolution to concurre wt yor Lo / for the mantenance of bothe And that yor Lo / may be pleaſed to that effect To allow me the libertie of a ſubject to live in the countrie with friedome wtout anie trouble or challenge at þe leaſt (If I ſall ſtill be ſua vnhappie as to be the ſubject of anie jealouſies) to live converſe and repaire within the boundis of þe ſhyres whair my landis and eſtate does ly or whiche ar adjoyneing thairto And Becaus I can not at this tyme give ane vþr reall teſtimonie of my zeale and affection to the publict I heartilie mak offer of the ſowme of ffourtie thouſand merkis ſcots for the vſe of þe countrie whiche thought it be ſhort of my affection Is farre above my power and abilitie and will appeare if my eſtate and debtis and burdingis be takine together too conſiderable QUHILK ſuplicaõune wt the foreſaid ſumondis Report and haill remanent premiſſ abonementionat Being this day fullie and at lenth debated hard conſidered and advyiſſed be the eſtates of parliament THEY eftir voyceing HES ACCEPTED and heirby ACCEPTIS of the foreſaid ſowme of ffourtie thowſand merkis ſcots offered be the ſaid Johne erle of Traquaire in his ſaid ſuplication Quhilk ſowme of ffourtie thouſand merkis THE ESTATES ORDAINES him p̃tlie To pay to ſr Adam hepburne of Humbie theſaurer of the armie and his deputtis To be applyed for the vſe of the p̃t expedition and forces within the cuntrie And whilk ſowme of ffourtie thouſand merkis the ſaid Johne erle of Traquair hes inſtantlie payit and delyverit to Archbald ſyidſerfe collector gñall deputt to þe ſaid ſr Adam Hepburne of Humbie knyt for obedience and conforme to the foreſaid ordinance of the eſtates of parliament As the diſcharge vpon þe reſſait þof beiris AND FARDER THE ESTATES of parliament ORDAINES the ſaid Johne erle of Traquair To Remane confyned Lykeas THEY heirby CONFYNE him within the boundis of the ſrefdomes of Roxburgh Selkirk and peiblis within the whilkis his landis and eſtate lyis And alſe The ſaidis eſtates Ordaines the ſaid Johne erle of Traquaire To carie and behave himſelfe in ſuche a quyet maner and way as may conduce moſt for the peace of this kingdome and according to the actis of parliament made in anno Jmo vjc fourtie ane yeirſ Eſpeciallie theſe abonementionat Quhairby this parliament declaires That he was and is obleidged not to medle in offices places or affaires of courte or ſtate, nor to goe to the kingis perſone or court without conſent of parliament And ordanes the ſaid Johne erle of Traquair and Jon Lord Lyntoun his ſone To become acted and obleiſt to the effect abone and eftir mentionat Vnder the pane of Ane hundreth thouſand pundis ſcotis vlz That the ſaid Johne erle of Traquaire Sall not tranſgreß the boundis abonementionat of his confynement during the pleaſr of the parliament convention of eſtates or thair cõmitties vpon his ſuplicaõune for doeing of his neceſſr and laufull affaires requring his awne preſence without the boundis of the foreſaid confynement And alſe That the ſaid Joe erle of Traquair ſall carie and behave himſelfe in ſuche a quyet maner and way

as may conduce moſt to the peace of this kingdome and according to the ſaidis actis of parliament made in anno 1641. Eſpeciallie theſe abone mentionat Quhairby this parliament declares That he was and is obleiſt not to medle in offices places or affaires of court or ſtate or to goe to the kingis perſone or court without conſent of parliament vnder the foreſaid pane of ANE HUNDERETH thouſand pundis ſcotis CONFORME to þe q^{lk} ordinance and for obedience q^{r}of COMPEIRIT perſonallie the ſaidis Johne erle of Traquair and Johne Lord Lyntoune his ſone and Become acted and obleiſt To þe effect before ordaned vnder the foreſaid pane of ANE HUNDERETH THOUSAND PUNDIS ſcots Lykeas the ſaid Johne Lord Lyntoun DECLARED That he ſhould nevir quarrell nor Impugne this his obleiſement abonementionat vpon the reſſone of his minoritie Quhilk The eſtates declares to be alſe ſufficient as if the ſaid Johne Lord Lyntoun wer of the full age of Tuentie ane yeir^{r} compleit AND SICLYIK THE SAIDIS ESTATES ORDAINES the ſaid Johne erle of Traquaire To ſatiſfie the kirk and the cōmiſſionar^{r} of the generall aſſemblie concerneing the ſolemne league and covenant and his admitting to the ſubſcryveing þ^{r}of as the cōmiſſionar^{r} of þe aſſemblie ſall appoint and enioyne And Inreſpect of the payment of the foreſaid ſowme of ffourtie thouſand merk^{r} and of the confynement abonementionat and of the ſaidis erle of Traquair and Lord Lyntoun thair becomeing acted and obleiſt To þe effect and vnder the pane rẽiue beforerehearſit and of þe ordinance abonewr̃in appointing the ſaid Johne erle of Traquair to ſatiſfie the kirk and the cōmiſſionar^{r} of the generall aſſemblie THE SAIDIS ESTATES of parliament REMITTIS AND DECLARES the ſaid Johne erle of Traquair ffrie off all furder cenſure or puniſhment for the cauſ^{l} and crymes abonementionat contenit in the foreſaids ſumondis in all tymecomeing

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51 ACT anent the 31000 ſterling due to the Scots Army in England.

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52 COMMISSION for the Univerſity of Aberdene.

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53 ACT in favours of the Committee of Warre of the Sheriffedome of Berwick.

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54 ACT anent the anſwere of the Eſtates to the Remonſtrance of the Commiſsioners of the Generall Aſſembly.

. . . . . .

APPROBATION to the Proqutors and Agent for the Eſtates. 55

. . . . . .

ACT in favours of Generall Major David Leſlie to be Lievetenant General of the Horſe. 56

. . . . . .

ACT anent the remitting of Bills and Supplications. 57

. . . . . .

ACT anent the erection of the Kirk of Carfearn. 58

. . . . . .

ANSWER of Parliament to the Paperis given in be the Engliſh Cōmiſsionar^{r}.

THE eſtates of parliament Conſiddering the paper of the 18th of februar given in by the cōmiſſioner of the parliament of England doe warrand their Cōmitte to returne this further anſwer That all ſuch protections as ar alreadie or ſhall be complained vpoun / be reviſed and diſpoſed off be the Cōmitte of both kingdomes vpon the place as they ſhall after ſight theroff find fitting and that vpon a reveiw of the liſt of delinquents given in / they tak ſuch courſe for removeing their perſones out of the Counties or ſecuring them whither by impriſonement or cautioun for their guid behavior in tyme Cumming / as they in every particular ſhall find to be moſt neceſsarie for ſetling and continuing the peace and quyet of theſe northerne Counties in obedience to the king and parliament: And for the tyme to come we think it Juſt that all protections of delinquents be limited to the reſtraining of ſouldiers from all acts of violence / and not extendit to the protection of them from Juſtice / the ordinary courſe of the law of the orderes of parlia^{t}: But wher the generall officers of our armie thinks ther is any neceſſitie of delaying for a tyme the executioun of any order coming from the honō^{ble} houſes of the parliament of England or ather of them or their cōmitties authorized thervnto; that the neceſsitie theroff be remonſtrat in the cōmittie of both kingdomes on the place and Communicat to the Cōm^{r} off this kingdome at London for preventing any miſtakes that may aryſe thervpoun this being alwayes without prejudice of keeping and fulfilling the conditions maid or to be made in neceſsarie capitulations vpon ſurrander of places or forces / not being againſt the Lawes of the nation or nationall Covenant / and whervnto the advyce and conſent of the Cōm^{r} of the parliament of England 59

ſhould be craved eſpeciallie when they ar on the place / or the buſſines may endure delay without prejudice to the ſervice.

LYKEAS the Eſtates Conſiddering the paper of the 4. of februar given in by the Commiſſioner of the parliament of England: Gives warrand to their Cōmitte to returne this anſwer That they acknowledge the neceſsitie of appoynting ſome for rectiefieing and adjuſting of the accompts betuixt the kingdomes: And to that effect hath given and doeth heirby give warrand to the Cōmittie that goes to that armie for to appoynt ſome of their owne number or wthers to concurr with the Engliſch Cōmiſſioners or ſuch as they ſhall appoynt for the ends expreſsed in that paper

SICLYK to the paper of the 13th of februar they returne this anſweir That they haue appoynted the Cōmittie of the Eſtates to goe reallie about the regulating recruting or reforming of our armie / that ſo the moneyis due from England by the treatie may be the better diſpoſed to the interteinment of theſe Regiments and forces neceſsarie for that ſervice And we ar confident they will goe heartiely about it for the good of the ſervice and ſatiſfaction of both kingdomes.

SICLYK to the Remonstrance of the Countie of Northumberland concerneing the moſse troupers or broken men in the borders, To anſwer that they have given direction to the Colonells and Cōmitties of warre on the Scottiſh borders to apprehend thoſe given in the liſt, and any other they can try to be partakers of theſe robberies and theftis, or their reſetters, and to doe juſtice to the ſatiſfaction of the bordering Counties of England with whom they haue directed their Cōmitties to concurr, by þ advyce mutuall aſsistance and correſpondence for the ſetling and ſecuring of the borders lykas they haue appoynted the Cōmitte of eſtates to wryt to my lord Generall that be the advyce of Colonell Walden or any other intruſted for the Countie of Northumberland all poſſible concurrance may be done on our behalff for that effect

SUCHLYKE to the paper of dait to anſwer that they doubt not bot the lord Generall and the Cōmitte with him will concurre to further all ordinances of the honⁿ houſes / Eſpeciallie theſe for Exciſſe and ſequeſtrations appoynted for the mantenance of the armie which they will particularlie recōmend vnto them at all occaſions.

8 martij 1645
Red in audience of the parliament and approvin

. . . . . .

RATIFICATION in favours of the Principall and ſecond Miniſters at Pailley. 60

. . . . . .

RATIFICATION in favours of the Earle of Leaven. 61

. . . . . .

RATIFICATION in favours of David Mackulloch of Guthers. 62

. . . . . .

RATIFICATION in favours of the Lord Kirkcudbright. 63

. . . . . .

RATIFICATION in favours of the Laird of Barns. 64

. . . . . .

RATIFICATION in favours of Sir Andro Fletcher of Innerpeffer. 65

. . . . . .

TWO RATIFICATIONS in favours of Sir William Nizbet of Deane. 66

. . . . . .

RATIFICATIONS in favours of M. Robert Bruce Advocate. 67

. . . . . .

RATIFICATION in favours of John Halyburtoun. 68

. . . . . .

RATIFICATION in favours of Alexander Maxwell of Dechmont. 69

. . . . . .

RATIFICATION in favours of the Burgh of Elgin. 70

. . . . . .

TWO RATIFICATIONS in favours of M. James Durhame of Pitkerro. 71

72 RATIFICATION in favors of the Earle of Caſsils.

. . . . . .

73 RATIFICATION in favours of George Home Fear of Wedirburn.

. . . . . .

74 RATIFICATION in favours of Alexander Stuart.

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PROTESTATION thereagainſt.

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75 RATIFICATION in favors of Daniel Carmichael.

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76 RATIFICATION in favors of S. John Vaitch of Dawick.

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77 RATIFICATION in favours of Maxwell of Orehgeardtoun.

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78 RATIFICATION in favours of Florence Jamiſon.

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PROTESTATION thereagainſt.

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79 RATIFICATION in favours of Patrick Vaitch.

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80 RATIFICATION in favors of M. David Drummond.

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81 RATIFICATION in favours of the Marques of Argyle.

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82 RATIFICATION in favours of John Forbes of Leſly.

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SUPPLICAOUN be George Maxwell of Monſcheis

MY Lordſ and otheris of the Cōmittee of parliāt appoynted for Billis and ſupplicaounes vnto zour ll humblie meanes and ſchawis I zour ſeruitor George Maxwell of Munſches brother germane to vmqll Williame maxwell of Midkeltoun That quhair zour ll / be zour Act maid in the ffirſt ſeſſioun of this pñt parliāt Haif enacted and Ordaned / that the ſentence and doome of forfaltor gevin and pronūced or to be gevin againſt q'ſōever perſone or perſounes / fall be without preiudice of Trew and laūll Debtis addebted to the creditorſ of the perſounes forfaulted / As the ſaid act beiris. AND Trew it is that the ſaid vmqll Williame Maxwell my brother the tyme of his late forfaultor wes addebtit to me in diuerſ and ſindrie ſowmes of money and debtis Extending in the haill to the ſowme of vſuell money of Scotland / Pairtlie of moneyis addebtit be him to myſelff / Or of moneyis pertenig to me and vpliftit be him fra my debtoris / Or in ſowmes of money quhairin I ſteode cautioner and ſouertie for him to his and my Creditorſ / Or addebtit be him to me be ſum vther laūll maner of way Conforme to the Inſtructiounes thairof heirwith produced / Quhairvnto the famȳ ar referrit brevitatis Cauſa / As the ſamȳ alſo Beiris. LYKEAS my ſaid vmqll Brother for my releiff of the ſaidis debtis diſponed to me his Right of the ffyve merkland of mylhouſe with the pertinentſ diſponit to him in wodſet be Robert erle of Niddiſdaill As my diſpoſitioun thairof daited the 24 of auguſt 1643 zeiris / with the infeftment and ſeaſing following thairvpone Beiris. BE VERTEW quhairof I haif goode and vndoubted right to the ſaidſ Landis / and to the maillis and dewties thairof. Neuertheleſs as I am Informed / Thair ar cōmiſſiounes gevin be parliāt or conventioun of eſtates / or cōmittees of parliāt To certane perſones To vplift and medle with the Rentis of the ſaidis wodſet landis / for the vſe of the publict / As of the vther of my brotheris Landis and eſtate Without reſpect to my Rightis and intereſt and Contrair to the tennor of the ſaid act of parliāt maid in favorſ of creditoris of the perſounes forfaulted / To my Ruine vnleſs remeid be provydit Heirfor I Beſeeche zour ll / vpoun the Conſideratioun of my Juſt title and intereſt to the ſaidis Landis To diſcharge the cōmiſſris or vtheris perſounes q'ſumeuer In name of the publict to medle or Intromet thairwith Bot that I may have the ſole and onlie medling and intromiſſioun with the ſaidſ Landis and Rentis thairof Eftir the forme and tennor of my Rightis and ſecurities of the ſaidſ Landſ / and according to the tennor of the ſaid Act conceaved in favorſ of the creditorſ of perſounes forfaulted / and to Juſtice And zour ll anſr:

5 februarij 1645

The ꝑmittie ffindis þe Inventar producit as a pairt of þis bill Inſtructit and repreſentis to þe conſidderatioun of the parliament the ꝑditioun of þis ſupplicant quhidder he ſall haue þe benefite of þe act of parliament Seing he is vnder caw°ne to anſ^r to þe parliament for quhat can be layed to his charge and if the parliament thinkis fitt to *try þe prō^ce for þe eſtaitt q^t is aganis þis man*

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APUD Ed^r octavo martij 1645

THE eſtates of parliament Remittis the ſuplica°une w^tinwṽin and deſire of þe ſuplicant w^t þe Inventar of þe writtis producit be him for inſtructing þ'of in ſtatu quo nunc eſt Together w^t þe opinion of þe cōmittie *for þe bill^e thairanent* finding the inventar inſtructit and verifiet be þe writtis þ'inmentionat and repreſenting þe condition of þe ſuplicant To the parlia^t^e conſideration Iff he ſall have þe benefite of þe act of parlia^t as ane credito^r to ane forfalted perſone Seing he ſtandis vnder caution for what can be layed to his charge and that if the parlia^t thocht fitt the prō^ce for þe eſtate may be conſulted what they have to ſay aganis this ſuplicant TO the cōmittie of eſtates reſideing at Ed^r To be conſidered be þ^m in ſtatu quo nunc eſt And to doe and determine þ'anent as they eſtir conſideration heirof Sall find juſt and reſſo^n Conforme to þe act of parlia^t made anent remitting to þe ſd cōmittie of eſtates of theſe bill^e and ſuplica°unes given in to þe parlia^t and not determined nor anſ^red by þe parlia^t

. . . . . .

[27 Martij 1646

The Comittee of Estates in reſpect of the reference of Parliament t writs produced Allowis the ſupplicant to intromett with the rents of the lands w^thin ꝑtenit And diſcharges Wm Livingſton to midle þ'with The ſupplicant finding caution To make the rents of the ſds lands furthcomand to the publict in caiſe it ſall be fund his right to the ſds land is not valid in law

GLENCAIRNE I.P.D.Com.]

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Apud Stirling,

VIII DIE JULII, A. D. M,DC,XLV.

IN THE THIRD SESSION OF THE FIRST TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Stirling and begun the eighth of July 1645.

IX JULII.

ACT anent the out-putting of Forces for the preſent neceſsitie.

THE Eſtates of Parliament now convecned in this third Seſsion of the firſt Trienniall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and three Eſtates, in Anno 1641. Taking into their conſideration the preſent condition of this kingdom, and how that the peace of the ſame hath been troubled thir Moneths bygone, by a baſe crew of Iriſh Rebels, joyned with unnatural Countrymen, who has had the greater ſucceſſe in their traiterous attempts, That they have never yet been purſued with that ſtrength was neceſsary, Some weakned Regiments, and Countrey people raiſed in the ſhires being only employed againſt them, without the aſsiſtance or countenance of the Nobilitie, Gentrie, and ſtrength of theſe bounds from which they were lifted. And there with all conſidering, that by the bleſsing of God upon the forces of their brethren in England, and good poſture of the Scots Armie there; This kingdome is for the preſent fred of all fears from without; Have thought fit to apply themſelves and their power for ſuppreſſing this Rebellion within: And for that effect, Do ſtatute, ordaine, and command, all the Noblemen, Gentlemen, and Heritors within the Kingdome upon their alleageance, To riſe preſently in armes after the intimation hereof, with all the able Horſe they can raiſe. As alſo, that the particular numbers of Horſe and Foot underwritten, be preſently raiſed in the Shires following, viz. In the Sheriffdomes of Roxburgh and Selkirk, a thouſand Foot, and fiftie Horſe. The Sheriffdome of Berwick fix hundreth Foot, and thirtie Horſe. The Sheriffdome of Haddingtoun fix hundreth Foot, and thirtie Horſe. The Sheriffdome of Edinburgh principall, fix hundreth Foot, and thirtie Horſe. And the Bailliarie of Lauderdale their proportionall number. The Sheriffedome of Peibles two hundereth Foot, and ten Horſe. The Sheriffedome of Lithgow two hundereth and fiftie Foot, and fifteene Horſe. The Sheriffedome of Stirling and Clackmannan thirtie 1

Horſe. The Sheriffedome of Lanerik ſeven hundreth and fiftie Foot, and fiftie Horſe. Wigtoun and Kircudbright ſix hundreth Foot, and thirtie Horſe. The Sheriffedome of Drumfreis ſix hundreth Foot, and thirtie Horſe. Air and Renfrew a thouſand Foot, and threeſcore Horſe. The Sheriffedome of Fyfe twelve hundreth Foot, and threeſcore Horſe. The Sheriffedome of Perth twelve hundereth Foot, and threeſcore Horſe. Dumbartan Shire two hundreth Foot: And that both Horſe and Foot aforeſaid, and haill Noblemen, Gentlemen, and Heritors be provided with ſufficient armes, and the Foot with eight dayes proviſion, and the Horſe with fourtie dayes proviſion; and march forthwith to the randezvous underwitten, viz. The Shires of Haddingtoun, Edinburgh, Peibles, Lithgow, Lanerick, Fyfe, Perth, and Dumbartan, to be at the Burgh of Pearth upon the nineteenth of this Moneth of July; And the Shires of Roxburgh, Selkirk, Berwick, Wigtoun, Kircudbright, Drumfreis, Air, and Renfrew, to be at the Town of Pearth upon the tuentie fourth of this Moneth, where they are to receive farther orders. And ordaines the Committees of War in the ſeverall Shires aforeſaids, and Magiſtrates of Burrows within their own bounds, To be anſwerable for bringing the numbers particularly abovewritten layed on them to the randezvous aforeſaid, With power to them for that effect To appoint one or moe in each Pariſh, for convoy of the forces of that Pariſh, and to take ſuch other courſes for procuring effectuall and preſent obedience to this Act, and bringing out of their forces as has beene allowed in any former Leavies: As alſo, that they be carefull that the Deficients and Runawayes both Horſe and Foot of the former Leavies be brought to the ſaid randezvous; Certifying hereby all ſuch Noblemen, Gentlemen, Heritors, Committees of War, Magiſtrates of Burrowes, and others perſons of whatſomever degree or qualitie that ſhall fail herein, or not keep the dyets of randezvous aforeſaid; They ſhall be eſteemed and puniſhed as Enemies to Religion and the ſafetie of the Kingdome, and as acceſſory to the Rebellion, and airt and pairt of the ſame. And to the effect it may be the better known who ſhall be neglective of their dutie herein; It is appointed, that the Noblemen, Gentlemen, Heretors, Committees of Warre, and Magiſtrates of Burrows, ſhall under the paine aforeſaid, bring alongs with them to the randezvous a liſt of all ſuch perſons within their bounds as ſhall not come out conforme to the Act, That the ſame may be preſented to the Parliament, who have reſolved to meet at Pearth, upon the ſaid twentie fourth day of this moneth, To give their concurrence and authoritie for purſuing the Rebels, and puniſhing ſuch as ſhall not give ready obedience hereto. And the Eſtates Ordaines this Act to be printed and publiſhed at the Market Croſſes and Pariſh Kirkes of the ſhires aforeſaid, wherethrough none pretend ignorance thereof.

ACT for inbringing and prorogating the Commiſſions to the Committee of Eſtates, and Committee for inbringing and diſtributing of Moneys.

X JULII.

THE Eſtates of parliament preſently conveened in the third Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Renewes and prorogates the Commiſſion granted to the Committee of Eſtates by the Eſtates of Parliament in the ſecond Seſſion of this Parliament, upon the 8. of March 1645. To the perſons, for the cauſe, and to the effect therein mentioned, and conform to the tenour thereof in all points. As alſo renewes and prorogates the Commiſſion for inbringing and diſtributing of Moneyes, and for regulating the publick accompts and burdens of the Kingdome, granted by the Eſtates of Parliament in the foreſaid ſecond Seſsion of this Parliament, upon the ſaid 8. of March laſt bypaſt, to the perſons therein nominate, and conform to the tenor of the ſamine Commiſſion in all points. And likewiſe renewes and prorogates the Commiſſion granted by the Eſtates of Parliament, in the ſecond Seſsion thereof foreſaid, upon the day of laſt bypaſt, to the Commiſsioners of Exchequer therein ſpecified, conform to the tenor of the ſamine Commiſsion, and with the power therein mentioned, with the haill remanent Commiſsions formerly granted in the ſecond Seſsion of this Parliament. Which haill Commiſsions hereby renewed, The Eſtates of Parliament Ordaines the ſamine haill Commiſsions, and every one of them, To ſtand in full force and effect, conforme to the tenours thereof reſpectivè in all points unprejudged by the interveening of this preſent Seſsion of Parliament, while the twenty fourth day of July inſtant. 2

ACT reſtraining any to go out of the Countrey without licence.

THE Eſtates of Parliament preſently conveened in the third Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and three Eſtates in Anno 1641. Conſidering how neceſſar it is that the haill Forces within the Kingdome be put in a Poſture for defence thereof and ſuppreſsing of the preſent Rebellion, and being informed of the prejudice that ariſeth through the weakning of many of the Shires and Borrows, by tranſportation of men to Ireland and other places forth of this Kingdome, who are thereby made unable to perform theſe duties required of them by the Eſtates, Do therefore Statute 3

and Ordain That no perſon whatſoever tranſport themſelves forth of this Kingdom to Ireland, or any other place, without a ſufficient Paſſe granted by the Committee of Eſtates, or Committees of War within Shires, or Magiſtrates within Burghs, who are only permitted to grant Paſſes to ſuch as are actual Reſidenters within their Shires and Burrows reſpectivè, with Certification to any that ſhall tranſport themſelves without the Warrand foreſaid, ſhall forfeit their haill moveable Goods, To be intrometted with by the Heritors of the ground where they dwell in Shires, and by the Magiſtrates of Burghs within Burgh, for the uſe of the Burgh: and the one half to pertain to the Heretors, and the other halfe to pertain and be compted for by them to the uſe of the Publick: With power to the Committees of Shires within the Shires, & Heritors of the Lands where they ſhall be found, and Magiſtrates of Burrows within Burghs, To apprehend the perſons, and put them in priſon, till the Committee of Eſtates inflict ſuch puniſhment as they ſhall think fit. Likeas alſo it is ſtatute and ordained, That no Mariner, Maſters of Ships, Boat or Bark, tranſport, nor ſuffer to be tranſported, any perſon without Warrand foreſaid out of the Kingdome, under the foreſaid pain of confiſcation of the Barks and Veſſels that ſhall happen to tranſport them, and to be lyable to the Heritors and Maſters of the tranſported perſons, for the payment of all debts or other duties to be performed by them to the Maſters, Heritors of the Land where they dwell. With power to the Committees of the Shires, Magiſtrates of Burghs, To apprehend their perſons, ſeaze on their Veſſels, and take their Sailes from their Roes, till they be cenſured in manner aforeſaid. And with power alſo to the Committees of Shires, and Magiſtrates of Burrows, to ſeaze upon any Veſſels that ſhall come out of Ireland or any forreign place, till they finde caution to obſerve the premiſſes.

XI JULII.

ACT continuing the Parliament to the 24. of July inſtant, to be holden at Pearth.

THE Eſtates of Parliament now conveened in the third Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in Anno 1641. Continues this preſent Parliament, and all Summonds, Proceſſe, Actions, and matters belonging thereto, while the 24. of July inſtant, with continuation of dayes; At which day, or ſooner, as the Committee of Eſtates, or Quorum thereof ſhall appoynt, Ordaines the haill Eſtates to be preſent and attend at Perth, or where it ſhall happen the ſaid Committee to appoint the ſame. And in the mean time the Eſtates declares this preſent Parliament current to the day foreſaid. And ordains the Acts made in this Seſſion of Parliament, to ſtand, and have the Force and ſtrength of Laws and Acts of Parliament, conform to the tenours thereof ſiclike as any Acts of any preceding Parliaments in any time bygane. And Ordains publick Proclamation to be made hereof at the Market Croſſe of Stirling by ſound of Trumpet.

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ACT continuing the Earle of Crawford Preſident of Parliament. 5

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ACT of approbation to Lieut. General Baillie. 6

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COMMISSION to the Committee with the Army at Perth. 7

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ACT in favours of the Marques of Argyle. 8

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ACT in favours of the Earle of Marſhell. 9

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ACT in favours of theſe who have ſuffered loſſes for the publike. 10

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ACT in favours of the town of Dundie. 11

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ACT anent the Northern buſineſſe. 12

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ACT of approbation to General Major Hurrey. 13

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Apud Pearth,

XXIV DIE JULII, A. D. M,DC,XLV.

IN THE FOURTH SESSION OF THE FIRST TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Pearth, and begun the twenty fourth of July 1645.

XXIX JULII.

ACT anent theſe who goes away from the Armie.

1 THE Eſtates of Parliament now conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and three Eſtates, in Anno 1641. Taking to their conſideration, that divers of the Subjects who have now lately conveened here for proſecution of the Rebells, Have now returned to their own homes without permiſſion obtained for that effect; And thereby, ſo far as in them lyeth, hath weakened the Good Cauſe by withdrawing their help therefra: Therefore they ſtatute and ordaine, That no Perſon of whatſomever ſtate or qualitie, goe to their own Homes from the Army and Quarters under the pain to be reputed and holden as Malignants, and perſons diſaffected to the good of Religion, and the Kingdome; And to be proceeded againſt conforme to the Certification conteined in the Act of Parliament made at Stirling: And ordaines thir preſents to be publiſhed at the Market Croſſe of Pearth by ſound of Trumpet, And to be ſent to the Lieutenant Generall, to be publiſhed by him in the Leaguer, and in the Quarters where the Army lyeth, which the Eſtates declares to be a ſufficient publication hereof, to put all the tranſgreſſours of the premiſſes in mala fide.

II AUGUSTI.

ACT of approbation of the Directorie, and for recording, publiſhing, and practiſing of the ſame, conforme to the Printed Copie.

2 THE Eſtates of Parliament now conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in Anno 1641. Having ſeriouſlie conſidered the Printed Copie of the Directorie for publike worſhip, now preſented unto them from the Commiſſioners of the Generall Aſſembly; And finding the ſame agreeable to the Copie preſented from the late Generall Aſſembly in the preceding Seſſion of this Parliament, Doe therefore ratifie and approve the ſaid Printed Copie, & ordains the Directory for the publike worſhip to be recorded, publiſhed, and practiſed, according to the tenor thereof.

ACT for puniſhing and fining of theſe who have not keeped the Randezvous.

THE Eſtates of Parliament preſently conveened, 3
in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in Anno 1641. Conſidering how neceſſar it is for the good of the preſent ſervice, and encouragement of ſuch as in obedience of the Act of Parliament made at Stirling the ninth of July laſt bypaſt, Hes keeped the Randezvous appointed at this place; That ſome preſent exemplar courſe be taken with ſuch as have ſtayed at home, in contemning the publike call of the Kingdome, and withdrawing their aſſiſtance from it in ſuch an exigencie: Doe therefore ſtatute and ordaine, that the fourth part of every ones Land Rent, Money Rent, and caſuall Rent, according to the valuation without deduction; Be forthwith exacted from all ſuch Noblemen, Gentlemen, and Heritors, who were appointed to keep the Randezvous on the nineteenth day of July laſt, and are not alreadie come: And from ſuch as wes ordained to keepe the Randezvous upon the twentie fourth of this Moneth, and hes not come before the laſt day of July. And the Eſtates declares, that theſe who have gone away without leave, ſhall be in like condition with the abſents: As alſo, aged and infirme perſons, who hes not put out Horſes for themſelves, to be in the ſame condition; Which fines, the ſaids Eſtates Ordaines to be imployed for the ſecond outreeke of Horſes out of the particular Shires; and the Committee of Warre in ilk Shire, to bee obleiged for the imployment of the ſuperplus thereof, upon an Magazine of Armes and Ammunition, and theſe Shires onely to have benefit thereof, that ſhall ſatisfie their dues: As alſo, ordaines the Committees of ilk Shires to be uplifters of the ſaids fines, and to be judges of all the excuſes of Noblemen, Gentlemen, Burrowes, and Commons, and to have letters of horning directed at their inſtance, for that effect upon their decreets to be pronounced by them, for not fulfilling of the Act of Parliament made at Stirling the ninth of July laſt, for their not compearance at Pearth at this time, conforme to the publike orders.

V AUGUSTI.

ACT for managing of the Warre.

4 THE Eſtates of Parliament now conveened, in the fourth Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates in Anno 1641. After hearing of the report made by the Committee for mannaging of the Warre, and after debating thereupon, and publike voicing in the houſe: Doe enact, ſtatute, and ordaine, That the directing of the Warre, ſhall be by the Parliament or Committee of Parliament; And the actuall mannaging and executing of the directions, To be by the Commander in chief, As he will be anſwerable to the Parliament or their Committee.

ACT anent the attendance of Officers.

5 THE Eſtates of Parliament preſently conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates in Anno 1641. Conſidering the prejudice formerly occurred to the publike ſervice, Through the not attendance of the Officers upon their ſeverall charges: Doe therefore enact and ordaine, That all Officers of the Armie attend their charges, Unleſſe they be called by publike warrand for ſome other ſervices of the State, or have ane foirlooſe from the Commander in cheiſe, with certification to them who failgies; That they ſhall looſe their places; And the Parliament or their Committee ſhall make new election of Colonells and Rootmaſters, who are not in formed Regiments.

ACT for the new Recrute, and diviſion thereof.

6 THE Eſtates of Parliament preſently conveened in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in Anno 1641. Conſidering, That for purſuing of the Rebells within this Kingdome, There be made up the number of a thouſand Horſes: And for that effect, that each Shire doe preſently furniſh out the like number of ſufficient Horſemen, as was layed upon them by the Act of Parliament made at Stirling; And that to eaſe themſelves of a burden in ſtaying all here preſent with the Army, which number now to be furniſhed out, are by and attour that number layed upon ilk Shire at Stirling, And which doubled number, with ſuch as are already on foot, are conceived to bee neceſſarie for the preſent ſervice, conforme to the Act made thereanent, dated the ſecond of Auguſt inſtant; For better managing of which Horſe now to bee Leavyed, and of the particular number of Foot, appointed to have beene Leavied out of the ſeverall Shires, by the ſaid Act made at Stirling: The ſaids Eſtates of Parliament, Hes adjoyned and appointed the ſaids Horſes and Foot, to ſerve and be under Command, as followeth, viz. Threeſcore Horſe out of the Sheriffedome of Hadingtoun, Threeſcore Horſe out of the Sheriffedome of Edinburgh, A hundreth and twentie Horſes out of the Sheriffedome of Air and Baronie of Renfrew, And a hundreth and twentie Horſes out of the Sheriffedome of Fyffe; To ſerve and be under the command of Alexander Lord Balcarras. Threeſcore Horſe out of the Sheriffedome of Berwick, Threeſcore Horſe out of the Sheriffedom of Lithgow, A hundreth Horſe out of the Sheriffedome of Teviotdaill, Threeſcore Horſe out of the Sheriffdome of Niddiſdaile, Threeſcore Horſe out of the Sheriffdome of Wigtoun and Stewartrie of Kirkcudbright, A hundreth Horſe out of the Sheriffedome of Lanerk, Threeſcore Horſe out of the Sheriffedome of Stirling, And a hundreth and twentie Horſe out of the Sheriffedom of Pearth, Thir to be made up in a Regimint, and Major Mungo Murray to be Lieutenant Colonell of that Regiment: And is to make up his owne Troup out of the readieſt Horſe of Lanerk and Lithgow, Harie Bruce, eldeſt Son to the young Laird of Clakmannan, to be ane of the Rootmaſters, and to have the charge of the threeſcore Horſe of Stirling Shyre, and Mackulloch to be Rootmaſter of the threeſcore Horſe of Wigtoun and Kirkcudbright: Twentie Horſe out of the Sheriffedome of Peebles, to be joyned to Lawers Troup, for recruting thereof: Six hundreth Foot out of the Sheriffedome of Berwick: Two hundreth and fiftie Foot out of the Sheriffedome of Linlithgow, for recruting the Earle of Callenders Regiment: Six hundreth Foot out of the Sheriffedome of Hadingtoun, Six hundreth Foot out of the Sheriffedome of Edinburgh, And two hundreth Foot out of the Sheriffedome of Peebles; Whereof eight hundreth out of the readieſt of theſe of Hadingtoun and Edinburgh, for the Earle of Lauderdails Regiment, And two hundreth out of the readieſt of the remainder of theſe two Sheriffedomes, of Hadingtown and Edinburgh, and out of the Sheriffedome of Peebles, for the Lord Chancellors Regiment; A thouſand Foot out of the Sheriffedome of Teviotdale, to be ſent into New Caſtle: Six hundreth Foot out of the Sheriffedome of Drumfreis, for recruting Colonell Homes Regiment: Six hundreth Foot out of the Sheriffedome of Wigtoun and Stewartrie of Kirkcudbright, for the Earle of Caſſills Regiment: Six hundreth Foot out of the Sheriffedome of Lanerk, for Colonell Robert Cuninghame his Regiment: A thouſand Foot out of the Sheriffedome of Air and Barronnie of Renfrew, whereof ſix hundreth for the Lord Chancellors Regiment, and the other four hundreth to bee di-

vided betwixt the Earle of Caſſils and Colonell Robert Cuninghame: A thouſand and two hundreth Foot out of the Sheriffedome of Fyfe, to be divided equallie betwixt the Earle of Crawfoord and Colonell Arnot: A thouſand and two hundreth Foot out of the Sheriffedome of Pearth, for recruting of Lawers Regiment; And two hundreth Foot out of the Sheriffedome of Dumbartan, for recruting the Marques of Argyles Regiment.

ACT for retention of the three Moneths Maintenance, for payment of the Quarterings.

7 THE Eſtates of Parliament now conveened in the fourth Seſſion of this firſt Triennall Parliament, Having taken to their conſideration the Reſults exhibite unto them from their ſeverall bodies, upon the continuation of the Act of maintenance; Doe ordain, and enact, that one Moneth of the firſt three Moneths now to be Prorogate, be preſently advanced; Providing alwayes, That where there hes been any quartering of Souldiours in any Shires ſince the twentieth day of March laſt, The perſons who have furniſhed quarters, Shall have retention pro tanto in the firſt end of their Maintenance, for their quarterings ſince that time,

VII AUGUSTI.

ACT againſt Swearing, Drinking, and mocking of Pietie.

8 THE Eſtates of Parliament, conſidering that by the ſolemn Nationall Covenant, ſworn and ſubſcribed by people of all ranks within this Kingdom, and ratified in Parliament in Anno 1641. The whole Lieges have bound themſelves before God with a ſolemn Oath ſo to behave themſelves in their lives and converſations as beſeemeth Chriſtians who have renewed their Covenant with God, and have faithfully promitted for themſelves, their followers, and all others under them, both in publike and their particular families and perſonall carriage, to endeavour to keep themſelves within the bounds of Chriſtian liberty, and to be good examples to others of all godlineſſe, ſobriety, and righteouſneſſe, and of every dutie they owe to God and man: And alſo calling to minde that the neglecting of the performance of that part of the ſolemne Oath of the Nationall Covenant, and the open abundance of all vices, diſhonourable to God, and reproachfull to the ſaid Nationall Covenant, hath without doubt occaſioned the heavie judgments which the Lord in his great wrath hath powred out upon this Land, as appeareth this day. Therefore the Eſtates for curbing ſuch vices as are groſe and moſt uſuall, and for teſtifying their deteſtation therof, and for putting a mark upon the committers of the ſame, Statute and Ordain, That whoſoever ſhal Swear, Curſe, or Blaſpheme, & whoſoever ſhall Drink exceſſively, eſpecially under the name of Healths; and alſo all mockers and reproachers of pietie, or the exerciſe thereof, or who ſhall be found culpable of all or any ane or other of the foreſaids vices by any Kirk Judicatorie whereunto they are ſubject, having beene once already cenſured by the ſaids Kirk Judicatories for the ſame vice before, ſhall after the ſecond conviction before the ſaids Kirk Judicatories be cenſurable in manner following viz. That ilk Nobleman ſhall pay Twenty pounds for the ſaid ſecond conviction, and ilk fault thereafter toties quoties: Ilk Baron, Twenty Merks: Ilk Gentleman Heritor Burgeſſe, Ten marks: Ilk Yeoman, Fourty ſhillings: Ilk Servant, Twenty ſhillings: Ilk Miniſter, the fift part of their yeers ſtipend: And that the Wives delinquents againſt this Act be puniſhed according to the quality of their huſbands, and that their huſbands be lyable for payment of their wives fines. And it is ordained, That the ſaids fines be imployed ad pios uſus in the Pariſh where the offenders dwells. And it is further ordained, That ilk Maſter who ſhall keep and maintain any of his Servants offending in the premiſſes in his company, after they ſhall be ſentenced conforme to this preſent Statute, ſhall be lyable in payment of the Servants fine. And it is declared, that the executing of this Act ſhall be beſide and without prejudice of the Kirk cenſure.

ACT for up-lifting of Pecuniall pains to be beſtowed upon Pious uſes.

FORSAMEIKLE as many Acts of Parliament 9
tending to the glory of God, puniſhment of vice, and to the Common weale of this Kirk and Kingdome, cannot take effect except ſome good courſe be preſcribed for putting theſe Acts to execution; Therefore the Eſtates finding that there can be no better way for executing theſe Acts, then by giving Commiſſion for the ſame, Gives full power and Commiſſion to the Magiſtrates within Burghs, and to ſuch perſon or perſons in Landwart Pariſhes, as ſhall be nominate by the Heritors within the Pariſh, or the moſt part of them (who are hereby appointed to meet among themſelves, upon the deſire of the Kirk Seſſion, to nominate one or mo for that effect) To put to execution the Act paſt in this preſent Parliament, againſt Swearing, Drinking, and mocking of Pietie, and all other Acts of Parliament already made, or to be made hereafter, for reſtraint and puniſhment of Vice, or for advancement of Pietie and Vertue, under pecuniall pains or corporall puniſhment, ſuch as Stocks, Irons, Jogges, Scourging, and ſuchlike, and to lift and exact the pecuniall pains, and being received, to cauſe deliver the ſame to Kirk Judicatories, to be imployed to Pious uſes, and to inflict the cor-

porall pains above ſpecified. And to that effect makes them his Majeſties Juſtices in that part within their own bounds, with power to hold and fenſe Courts, and to create all Members of Court neceſſary, To ſummond, warne and ſwear, Aſſize and Witneſſes, Unlawes and Amerciaments of Court, to raiſe and uplift, to poynd and diſtrein: And generally all and ſundry things to do, that to the execution of the ſaids Acts of Parliament is neceſſarily required. But prejudice alwayes to the Lords of Secret Councell to grant Commiſſions upon the repreſentation of Presbyteries, for executing all or any of the ſaids Acts to any other perſons their Lordſhips ſhall think more convenient. And ſicklike in caſe Heretors ſhall not make nomination of perſons to exerce the Commiſſion above ſpecified, The ſaids Lords of Councell ſhall alſo in that caſe grant Commiſſions to ſuch perſons as they ſhal finde moſt fit; which Commiſſions ſhal be paſt gratis, with all expedition. And the Eſtates Ordains, that Magiſtrates, Heritors, and other Commiſſioners whatſoever, be anſwerable for their diligence and fidelity in diſcharging their Commiſſions to the Lords of Secret Councell.

ACT prorogating the Act of Maintenance.

10 THE Eſtates of Parliament Renewes and prorogates the Act anent the Maintenance of the Army, made by the Eſtates of Parliament, in the ſecond Seſſion of this Parliament, upon the 26. day of February 1645. yeers; Together with the proportionable retention of Annualrent, which makes nine of ilk hundred Annualrent to be retained for the yeer 1645. yeers; In the haill heads, articles, clauſes, and conditions thereof, conform to the tenour of the ſamine in all points, and with the power therein contained, during the ſpace of Three moneths farther nor is contained in the ſamine former Act abovewritten, viz. Fra the firſt day of September next 1645. yeers, to the laſt day of November inclusivè. Which Act of Maintenance and proportionable retention foreſaid, hereby renewed and prorogate, The Eſtates of Parliament Ordains the ſamine to ſtand in full force and effect, conform to the tenor thereof in all points during the prorogation abovementioned, with this addition and declaration alwayes, That it ſhall be leiſome to any who findes themſelves prejudged and hurt by the former valuation, To lead and deduce a new valuation of their Land Rent, or other Rent, and that for the three moneths Maintenance now further granted, providing they lead and deduce the ſamin betwixt and the firſt day of October. As alſo with power to any who hes advanced and payed the firſt moneth of the three moneths Maintenance abovewritten, To retain in their own hands their proportionall part of their Land rent, and caſuall rent of the Lands and others belonging to them, conform to their valuations, and that for the haill three moneths above ſpecified. As alſo to detain ſick other part of the ſix Moneths Maintenance as is not yet payed by them, and that ay and while they be fully refounded and repayed of the ſaid Moneths Maintenance now advanced by them, incaſe their proportion of the three moneths now enacted, or their reſts of the firſt ſix moneths yet unpayed by them ſhall extend to the ſame: otherwiſe, incaſe their proportion of the haill nine moneths Maintenance ſhall exceed the ſumme now advanced, they ſhall be holden to pay the ſuperplus. And ordains theſe who ſhall make payment, or give Band, To have relief of the Committee of the Shire and Collector thereof. And declares, That the Commiſſioners Ticket of Receipt ſhall be a ſufficient diſcharge to the advancers of the ſums of money, and theſe who ſhall give Band for that effect: As alſo ſhall have ane quarters intereſt of the Moneyes payed by them, as ſaid is.

ACT anent the preſent Recrutes.

THE Eſtates of Parliament Ordaines and Enacts, 11
That all the recrutes of Horſe and Foot conforme to the Act made at Stirling, be brought to the Armie, in manner, and at the times following, viz. Theſe dwelling be north Forth, betwixt and the nineteenth day of this inſtant Moneth of Auguſt; And theſe dwelling be ſouth Forth, betwixt and the twentie two day of this Moneth of Auguſt; And theſe dwelling in the Sheriffedoms of Berwick, Roxburgh, Selkirk, and Niddiſdale, betwixt and the twentie fifth day of this inſtant Moneth: And alſo Ordaines, that two of the Committee of Warre of each Shire, with the Officers to be appointed for that effect, bring and conduct the Souldiers from the Randezvous of the Shires to the Armie, where the ſamine ſhall happen to be for the time; Providing alwayes, that there be in each Company, by the Officers, a hundreth of Souldiers: And ſicklike, that all runawayes be brought to the Armie. And alſo Ordaines, That all Acts of Parliament or Committees, be put to execution againſt runawayes, and this be done Monethly by Order from the Committes of Warre.

ACT anent the prorogation of the Committee of Eſtates, Committe for regulating and inbringing of Moneys, Exchequer, and Exciſe.

THE Eſtates of Parliament preſently conveened in 12
the fourth Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in Anno 1641. Conſidering that there was Commiſſion granted to the Committee of Eſtates, by the Eſtates

of Parliament, in the ſecond Seſſion of this Parliament, upon the 8. day of March 1645. To the perſons, for the cauſe, and to the effect therein mentioned: As alſo, that there was Commiſſion granted for inbringing and diſtributing of Moneys, and for regulating the publick burdens and accompts of the Kingdome, To the perſons therein nominate: And likewiſe, ane other Commiſſion upon the day of laſt by paſt, To the Commiſſioners of Exchequer therein ſpecified; And that the ſamine Commiſſions with the haill remanent Commiſſions formerly granted, in the ſecond Seſſion of this Parliament, were ſenſyne renewed & prorogate by the Eſtates of Parliament in the third Seſſion of this Parliament, at Stirling, upon the tenth of July laſt, to the twentiefourth day of the ſame Moneth. And ſeeing that the ſamine Commiſſions and Prorogation thereof foreſaid are now expired: Therefore the ſaids Eſtates of new againe, renewes and prorogates the foreſaid Commiſſions particularlie and generallie reſpectivè abovementioned; In the haill Heads, Articles, Clauſes, and Conditions thereof conforme to the tenors of the ſamine, and with the power reſpectivè therein contained in all points, Which haill Commiſſions hereby renewed and prorogate, the ſaids Eſtates of Parliament Ordaines the ſamine and every ane of them to ſtand in full force and effect, conforme to the tenors thereof reſpectivè in all points, unprejudged by the interveening of this preſent Seſſion of Parliament, while the day of Except anent the ſubdiviſion of that Committee which was appointed to ſtay within the Kingdome, and which ſubdiviſion is now hereby diſcharged, and ordained that there ſhall be only one Commiſſion within this Kingdom, conſiſting of the two branches of the former ſubdiviſion: And likewiſe addes Sir Harie Gib to the ſaid Committee of Eſtates, and nominates and addes to the ſaid Committee, Maſter Alexander Wedderburn in place of Alexander Halyburtoun for the town of Dundie: As likewiſe nominates Sir Michaell Balfour in place of Sir Archibald Campbell, and James Pedie for Robert Tailzour for Montroiſe, with this proviſion, that the Committee for borrowing of Money, returne not upon theſe who lent before: And alſo the ſaids Eſtates prorogates and continues the act anent the impoſition of Exciſe, Together with the Committee appointed for uplifting thereof, unto the firſt day of Auguſt next 1646. Providing alwayes the foreſaid Exciſe be aſſigned for payment of the Maintenance of the Shire, after that the Quarterings and Anualrents are firſt payed.

ACT anent the crying up of the Moneys.

13 THE Eſtates of Parliament now conveened, in the fourth Seſſion of the firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and three Eſtates, in Anno 1641. For the weale and good of the Countrey: Ordaines the ſpaces of Money to paſſe in the Kingdome for the availes afterſpecified, viz. The Rex Dollor to give fiftie eight ſhillings, The Croſſe Dollor fiftie five ſhillings, The Ryall of Eight fiftie ſix ſhillings, The Roſe Noble eleven punds, The Kairdique twentie ſhilling, The Double Piſtoll nine pund, The Hungars Ducate five punds: Providing all the ſpaces aboveſpecified be of the weight contained in the Act of Counſell. And the ſaids Eſtates Ordaines this Act to begin and take effect, and the foreſaid ſpaces of Money to be current at the pryces and value abovewritten, after the date and Proclamation thereof.

ACT againſt the in goers to the Rebels.

THE Eſtates of Parliament now conveened, in the 14
fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in Anno 1641. Conſidering that it is ſurmiſed there are divers perſons within this Kingdom who is gone, & are dayly going in for aſſiſting of the preſent rebellion of ſome unnaturall Countreymen, who will have the right of ſucceſsion to Titles of dignity, Lands, Bands, Annual-rents and other Benefits within this kingdom; to the great prejudice thereof, and incouragement of others to do the like in time coming, Do therefore find and declare, all ſuch perſons who hes already gone in, and do not returne and give in their names to the Parliament, or Committee of Parliament, betwixt and the fifteenth day of September next to come: As alſo all others who ſhall hereafter go in, and the heires procreate of their bodies, incapable of any ſucceſsion whatſomever within this Kingdome, either of titles of dignity, Rents of Lands, Bands, Annual-rents, or any Benefits within the ſamine: And ſicklike findes and declares, that this ſhall be ſufficient for debarring of them fra the ſucceſsion foreſaid, Which the ſaids Eſtates ordains to be received aſwell by way of exception, as reply. And whoſoever ſhall come in betwixt and the day foreſaid, The ſaids Eſtates declares them free of all cenſure of Parliament, or other Judicatory whatſomever; They giving ſatiſfaction to the orders appointed, or to be appointed by the Kirk Judicatories. Providing alwayes, likeas it is hereby provided, That the Act foreſaid be no wayes extended to any perſon whatſomever that ſhall be brought by any that ſhall have warrand from Parliament, or Committee of Parliament, after the day foreſaid: As alſo excluding from the benefite of the ſaid Act, or any part thereof, the particular perſons following, viz. James Grahame ſometime Earle of Montroſe, James Ogilvie ſometime Earle of Airlie, James Gordoun ſometime Lord Aboyne, Alaſter Mac-Donald, Grahame

younger of Inchbrekie, Grahame of Gorthie, Sir William Rollok, Nathaniel Gordoun: With power to the Committee of Eſtates to give the benefite of this Act to ſick other perſons as are forfaulted, notwithſtanding of their forfaulture. And declares, that the publication hereof at the Market Croſſe of Pearth ſhall be als ſufficient as if the ſamine had been publiſhed at the Market Croſſe of Edinburgh, and remanent Burghs within this Kingdome.

ACT Salvo Jure Cujuſlibet.

15 THE Eſtates of Parliament now conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in Anno 1641. Conſidering That in this preſent Seſſion of Parliament, there are many Particular Acts, and Acts of Ratification, made in favours of particular Perſons, Which may be prejudiciall to the parties having intereſt and not heard; Albeit the meaning of the Eſtates be at this time, as it was ever in all preceding Parliaments, that by no Particular Act, or Act of Ratification granted to any particular Perſon, any other parties ſhould be hurt or prejudged of their lawfull Rights and Defences, competent to them of the Law. For remeed whereof, It is Statute and Ordained, That no Ratification or other particular Act whatſoever made in favours of any particular Perſon in this preſent Seſſion of Parliament, Be prejudiciall to any other parties Rights or Defences, competent to them of the Law; But that the ſaids Particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes underſtood, Salvo jure cujuſlibet.

ACT of continuation of the Parliament to the laſt Wedneſday of Novem. 1645.

16 THE Eſtates of Parliament now conveened in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in Anno 1641. Continues this preſent Parliament, and all Summonds, Proceſſe, and Actions belonging thereto, which are not remitted to the Committe of Eſtates of Parliament, while the laſt Wedneſday of November next to come: At the which day, or ſooner, as the Committee of Eſtates or Quorum thereof ſhall appoint, Ordains the whole Eſtates to be preſent, and to attend at Edinburgh, or where it ſhall happen the Committee to appoint the ſame to be holden for the time: With power likewiſe to the Committee of Eſtates to Conveene the Parliament ſooner if they think fitting, and to appoint another place at that time, in caſe they find the ſame expedient. And in the meane time, The Eſtates declares this preſent Parliament currant to the day foreſaid: And Ordains the whole Acts and Statutes made and concluded in this Seſſion of Parliament, To ſtand, and have the full force & ſtrength of Acts of Parliament, conform to the tenors thereof, Sicklike as any Acts and Statutes of any preceding Parliaments in any time bygone. And Ordains publike Proclamation to be made hereof at the Market Croſſe of Perth by ſound of Trumpet.

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ACT of approbation to the Earle of Lowdoun Chancellour. 17

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ACT of approbation to Lieut. General Baillie. 18

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ACT in favours of the Shirifdome of Lanerk. 19

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COMMISSION for treating with the Engliſh Commiſsioners. 20

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COMMISSION Earle Marſhel for uplifting malignants rents. 21

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COMMISSION Earle of Findlater for uplifting malignants rents. 22

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COMMISSION Vicount of Frendraught, and Laird of Boyn for uplifting malignants rents. 23

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COMMISSION Lord Fraſer for uplifting malignants rents. 24

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COMMISSION Earle of Erroll for uplifting malignants rents. 25

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RATIFICATION of the Act of the Committee, in Favours of the houſe of the Lawers 26

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ACT in Favours of the Pariſhioners of Saint Andrews. 27

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RATIFICATION in favours of the Earl of Crawford 28

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RATIFICATION in favours of the Laird of Balthyok. 29

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RATIFICATION in favours of John Malcolm. 30

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Apud Sanct Androis,

XXVI DIE NOVEMBRIS, A. D. M,DC,XLV.

IN THE FIFTH SESSION OF THE FIRST TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at S. Androis and begun the twenty-fixt of November 1645.

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PRESENT

Archbald Marques of Argyle.
Johne Earle of Crauford & Lindesay president of the parl.
Gilbert E. of Erole grate Constable
Johne Earle of Mar
James Earle of Buchane
Johne Earle of Cassiles
Johne Earle of Perthe
Robert Earle of Hadingtoune
Johne Earle of Wymes
Alexr Earle of Dalhousie
James Earle of Finlater
William Earle of Lanricke
James Earle of Callender

Johne Lord Yester
Lord Cardrosse
Robert Lord Burlie

COMMISSIONERS of Shyres for the Barrons

Louthean	Sr Archbald Jhonstone of Warreston
	Sr James Foulls of Colingtone
Fyffe	Sr Johne Wymes of Bogie
	Dauid Bettone of Creighe
Linlithgow	Laird of Maner
	Laird of Boghall
Lanrick	Laird of Lamingtoune
	Laird of Lie
Drumfreis	La. Lage
	La. of Apilgirthe
Streueling	La. Buchanan
	La. Polmais
Hadingtoun	Sr Jo: Hamilton of Beill
	La. of Clarkingtone
Beruick	La. Wederburne
	La. of Toftis
Clackmanan	La; of Sauchie
Peibles	Mr Jo: Hay of Hayestone
Bute	
Aire	La. of Cesnock
	La. of Caudoune
Kincardine	La: Halkartone
	La: Balmaine
Roxbrughe	La: Cauers
	La: of Stobis
Perth	La: Friland
	La: of Aldey
Wigtone	La: of Garthland
Aberdeine	La: of Cragewarre
	La: of Eighte
Renfrew	La: Houstone
	La: Caldwell
Forfar	La; Brigtone
	La: of Teleinge
Dumbartane	La; Foulwood
	La: Balwie
Selkirke	L. of Harden
	L. of Whitsleed
Bamffe	Laird of Boyne
Argyle	L. Glenurquhy younger
Cathnes	
Inuernesse	
Orknay	

COMMISSIONERS of Burrowes

Edinbrughe	Sr Jo: Smythe
	Rob: Mackeane
Dundie	Mr Alex Wedderburne
Aberdeine	Mr Tho: Gray prouest
Linlithgow	George Bell prouest
St andrews	Jo: Lepper prouest
Coupar	Geo Jamesone prouest
Glasgow	Gabriell Cuninghame
Aire	Jo: Kennedy
Dysert	Dauid Symsone
Kircalday	Rob: Whyte
Montrois	James Pedie
Anstruther	Dauid Alexander
Brunt Iyland	Geo: Gardyne
Kingorne	Mr Rob: Cuninghame
Iruing	Mr Robert Barclay
Jedbrugh	Mr Johne Broune
Pitinweyme	Will: Watsone
Anstruther Wester	Norman fairfull
Brechin	Will: Lyone
Dumbartane	Mr Ja: Campbell prouest
Renfrew	Jo: Sprewell
Aberbrothe	Jo: Ochterlonie
Kirkcubright	William Glendininge
Streuelinge	Thomas Bruce

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I DECEMBRIS.

1 COMMISSION for the Proceſſe.

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2 COMMISSION for trying the Earle of Tullibardan and his friends, and tenants their loſſes.

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3 COMMISSION to Sir Robert Drummond.

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4 COMMISSION to the Proveſt and Baillies of Tayn.

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XVIII DECEMBRIS.

ACT anent the Training and Arming of the Fourth Man.

5 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Taking in conſideration the good and Service of the Kingdome and Shires thereof, They Ordain the Committees of War of every ſeverall Shire of the Kingdom, To make new Rolls of the whole fenſible perſons within ilk ane of their ſeverall Shires, and to cauſe the Fourth man of the whole number of their fenſible perſons, be Trained, Armed, and formed in Companies, and made ready upon all occaſions for the Publike Service, and good of the Shires and Kingdome, according to the Rules and Acts formerly ſet down. And the Eſtates declares, that theſe perſons who ſhall be inrolled as the Fourth man in the ſeveral Shires, by vertue of this Act, to the effect foreſaid, ſhall no wayes be imployed for Recruting of former Regiments: And Ordains the Shires to have the nomination and election of the Officers of their ſeverall Companies & Regiments that be made up of the Fourth man in their ſaid Shires; Which nomination and election The Eſtates Ordains the Committees of Warre of the ſeverall Shires to repreſent to the Committee of the Eſtates of Parliament, To whom the Parliament hereby gives power to allow or diſallow of the ſame nomination and election, as the Committee ſhall think fit, and to place others for ſick as they ſhall not allow, for the good of the Publike Service. And the Eſtates declares, That this preſent Act is alwayes but prejudice and derogation to any former Acts made for putting of the Kingdome in a Poſture of Defence and ordaining all betwixt Sixtie and Sixteen to be Trained and Armed.

ACT in favours of the Officers of the Regiments, againſt the reſetters of Runawayes.

6 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this [firſt] Triennall Parliament, Having taken in conſideration the prejudice that the ſervice of the publike ſuſtaines, by not puniſhing of the reſetters of runawayes, and not putting of the Acts made againſt them to due execution; They for remeed hereof, Gives here by power and warrand to the Officers of the ſeverall Regiments, to try out and purſue the reſetters of the runawayes of their Regiments reſpectivè, before the Committees of Warre of the Shires and diviſions where the reſetters remaines, for payment to the Officers of the ſum of ane hundreth punds Scots for the reſetting of ilk runaway, to be payed to them by the reſetters, according to the Act made againſt the reſetters of runawayes: And to the effect that none pretend ignorance hereof; The Eſtates ordaines this Act to be ſent to the Committees of Warre of the ſeveral Shires, And ordaines them to cauſe publiſh the ſamine at their ſeverall Paroch Kirks, and the ſame Act to have effect and execution within fourteene dayes after the publication thereof: And farther, that the publike ſervice be not prejudged nor ſlighted through the Officers their componing with parties, or not bringing out of the runawayes from whoſe reſetters they are to get the foreſaid ſum of ane hundreth punds of penaltie: The Eſtates declares, that the Officers of the Regiments ſhall be lyable for theſe runawayes, to be put out in the ſervice for whom they ſhall get payment from the reſetters of the foreſaid ſum of ane hundreth punds, ſo that the payment of the penaltie of ane hundreth punds, ſhall not ſupplie the outputting of the runawayes or men for them: And incaſe the Officers ſhall compone with the reſetters in that caſe; The Eſtates ordaines the Officers to be lyable for the men in that ſame condition, as if they were to be put forth in a new Leavie, and conforme to the Acts made thereanent, againſt the taking of Money in the out-putting of Leavies in place of men.

ACT anent the Forces to be imployed in Gariſons and in the fields for the publike ſervice, and anent the inbringing of Moneys.

7 THE Eſtates of Parliament now conveened, in this fifth Seſſion of this firſt Triennall Parliament; Having heard & conſidered the report of the Committee of Diſpatches anent the ſervice of the Countrey, and keeping of Gariſons, and proſecution of the War in the fields; They ordain and appoint ſufficient Gariſons to be placed in the Towns following, viz. In Inuernes a thouſand Foot, two Troops of Horſe: In Aberdeene a thouſand Foot, two Troops of Horſe: In Monroſe two hundreth Foot: In Dundee foure hundreth Foot: In Pearth foure hundreth Foot: In Stirling and the Caſtle thereof, three hundreth Foot, one Troop of Horſe; In Glaſgow eight hundreth Foot, one Troop of Horſe: And in Dumbartan two hundreth Foot, extending in all to four thouſand three hundreth

Foot, and ſix Troops of Horſe. Item, the Eſtates findes it neceſſary for proſecution of the Warre in the fields, That there be ſix thouſand Foot over and above theſe appointed for the ſeverall Gariſons abovementioned; And ordaines the haill, both within and without the Garifons, to be divided in twelve Regiments: As alſo, the Eſtates ordaines ſixteene hundreth Horſe to be imployed in the foreſaid ſervice, and divided in three Regiments, and eight ſingle Troops, with a Major to be likewiſe imployed in the publike ſervice as other Regiments. Item, eight hundreth Dragouns to be likewiſe imployed for the ſervice foreſaid in eight Companies. And in regard, that a ſmall proportion of the Monethly maintenance is to be expected in Money, and ſo in all probabilitie will be exhauſted by Quarterings and Proviſion in meat; The Eſtates findes it neceſſar, for the intertainment of the Officers, buying of Armes and Ammunition, and for incident Charges, That a preſent and ſpeedy courſe bee taken for bringing in of Moneys upon forefaltors, fines, or penalties, by the Parliament it ſelf, or by Committees to be ſent through ſeverall places of the Kingdome for that purpoſe.

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COMMISSIOUN to the Cōmittie for the loiſſes

8 AT SANCTANDROIS the Auchten day of december the yeir of god J^{m} vj^{c} fourtie fyve yeirꝭ THE eſtates of parliament Taking in conſideration the loiſſes of þe kingdome And being willing and carefull that the ſamen be tryed that courſe may be tane for ſome repara^{c}une þ^{r}of as eftir tryell of the loiſſes and deſrvings of the pairteis ſalbe thocht fitt They but prejudice and deroga^{c}une to þe formar commiſſions granted be the cōmittie of eſtates for tryeing of þe loiſſes þ^{r}inmentionat and of þe tryall tane according þ^{r}to and reports þ^{r}of made or to be made thairanent HAVE Nominat and appointed And heirby NOMINATS and appoints Alex^{r} erle of Eglintoun erle of Buccleugh erle of Hadingtoun and Thomas Lord Kirkcudbry^{t} for þe noblemen Sr Alex^{r} falconer of Halkertoun ſ^{r} W^{m} forbes of cragivar ſ^{r} W^{m} ſcot of Harden ſ^{r} gilbert ramſay of Balmayne and maxuell of Teilling for the Barrones Robert arnot burges of perth Mr Alexander Weddirburn clerk of dundie M^{r} Ro^{t} farq^{r} burges of Abirdene david alex^{r} burges of Anſtruther eiſter Johne Jo^{n}ſtoun burges of drumfreis and Wm Lyoun burges of Brechine for the burowis and the Lord chancello^{r} and Lord preſident of parliament to be ſupernumerarie in this cōmittie As ane cōmittie from the parlia^{t} to the effect abone and eftirmentionat And The eſtates grantis power to þe perſones abonenamit or ony nyne of them as ane quorum thair being ane nobleman and tua of euerie v^{r} eſtate To tak in conſidera^{c}une the maner and way of the proba^{c}une and tryell condiſcendit vpon be the cōmittie of eſtates in the cōmiſſioune alreadie granted be them for tryall of loiſſes And eftir conſideration therof To adde or alter as this cōmittie ſall think fitting And (ſa far as can be) to conſidder and appoint that the way of tryell be vniforme throw the haill kingdome ITEM to tak in ſpeciall conſideration the tryell of the loiſſes of theſe who have remaned conſtantlie in the caus and who ar totallie rwined and to condiſcend vpon þe way and meanes of þ^{r} pūt ſubſiſtance ITEM that the cōmittie tak in conſidera^{c}une / condiſcend and repreſent to the parlia^{t} what vniforme way ſalbe tane throw the haill kingdom for repara^{c}ume of the loiſſes of theſe who ar of ane lyke condition haveing conſideration alwayis of þ^{r} affection to þe caus in hand That when the way of repara^{c}une ſalbe thocht vpon / the ſamen may be accordinglie done and repara^{c}une made w^{t}out preferring of ſome pairteis to v^{r}ꝭ ITEM that the cōmittie tak in conſideration and think vpon the forme of the cōmiſſions for tryeing of þe ſaidis loiſſes ſuſtenit by ſea or land by the enemie And if the cōmiſſion ſalbe onlie to ilk ſeverall ſhyre in the cuntrie and whither onlie to ſhyres and to burghes or to particular perſones apairt And whither onlie to theſe perſones cōmiſſio^{n}ꝭ for tryall to be of þe nightbo^{r}ing ſhyres and burghes or alſo of þe ſhyres and burghs contenit in the cōmiſſion ITEM to conſidder if it be expedient that þe cōmiſſions to be condiſcendit vpon and grantit for tryell of þe foreſaids loiſſes ſall conteine ane claus for tryeing the plunderings robbings and ſpoylings and of quarterings and anent þe ſkaithe done be þe forces of þe cuntrie That eftir tryell þ^{r}of the ſamen may be allowed in the firſt end of þe arrears of theſe wha have cōmitted the ſame As alſo The eſtates gives power to the foreſd cōmittie or quorum þ^{r}of To reſſave the reports of þe tryell tane vpon the formar cōmiſſions and to conſidder and condiſcend vpon a way for recording þ^{r}of and of þe reports of the tryall to be tane vpon cōmiſſions heireftir to be granted And eftir conſidera^{c}une of þe premiſſ^{r} abonewr̃in be þe cōmittie or thair quorum and what they ſall condiſcend vpon þ^{r}anent The eſtates ordanes the cōmittie or þ^{r} quorum to mak report þ^{r}of to þe eſtates of parliament That þ^{r}eftir the eſtates may grant cōmiſſions for tryell of þe ſd^{r} loiſſes as they eftir conſideration of þe report ſall think fitting And ordanes þ^{r} meitting to be in theſe places q^{r} the bodie of þe gentrie or bodie of the burrowis ſittis as the ſd cōmittie ſall think maiſt convenient

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TUO Commiſſions anent the priſoners in Jedburgh and Selkirk. 9

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10 ACT in favours of the Marques of Argyle for an High-land Regiment.

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11 ORDINANCE for putting Garriſons in certain houſes for the High-land Regiment.

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12 ACT in favours of the Lords of Seſsion.

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XXVI DECEMBRIS.

ACT for Publiſhing and Printing of the Declaration of the Commiſsioners of the Generall Aſſemblie.

13 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this [firſt] Triennall Parliament, Having heard and conſidered the Declaration preſented unto them by the Commiſſioners of the Generall Aſſembly, read in their audience; They received the ſamine chearfully as ane ſeaſonable Declaration, And appoints the ſame to be Publiſhed and Printed: And ordaines the Earle of Caſſils Vice-Preſident of Parliament, To give thanks from the Parliament to the Commiſſioners of the Generall Aſſembly, for their care, paines, and vigilancie, expreſſed in the ſaid Declaration.

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II JANUARII.

14 ANSWER of parliament to the remonſtrance of the Kirk.

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15 ACT of exoneration and approbation to the Lord Humby of his accompts.

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VI JANUARII.

ORDINANCE of parliat concerneing the cõmittie for þe loiſſes

16 AT SANCTANDROIS the Sext day of Januar the yeir of god J^{m} vj^{c} fourtie ſex yeirꝭ THE eſtates of parliament now conveened in the fyift ſeſſion of this firſt triennall parliat Haveing hard and conſiddered the Report of the cõmittie for the loiſſes ANENT the Quere and opinioune given be them concerneing the particulars eſtirſpẽit THEY FIND that the pairtie grieved or compleining May prove be ſufficient witneſſ That he had in his poſeſſion Imediatlie before þe enemie come to his ground and hous ſuche goods as he condiſcends in his complaint and that the enemie comeing thair They wer takine away or diſtroyit be the enemie and wer nevir ſene thaireſtir in theſe places And as for the inſight and houſhold pleniſſing and what goods or vþr wer in the compleiners houſſ The eſtates Ordanes the ſrvands of þe complenarꝭ to be examinat as witneſſ vpon þr oathes þranent as ane adminicle of þe probaõune And in ſupplement of all the probaõune aforeſd Ordanes the pairteis compleaning to give þr oathes That to þr beſt knawledge all theſe goods wer takine or diſtroyit be þe enemie alſewell the guidis and cornis vpon þe ground as the inſight pleniſſing and vþr guidis and geir w^{t}in the houſſ And ordanes this maner of probaõune to be extendit lykewayis to theſe guidꝭ and loiſſes be ſea q^{lk} ſalbe entered be the pairteis awners þrof or vþrꝭ haveing power to give vp entries of ſhippis and guidꝭ And Reſrvis the conſideraõune of þe probaõune w^{t} þe modificaõune of what ſalbe proven to the Judge To be modifiet as they eſtir conſideraõune of þe probaõune ſall think fitt ITEM The eſtates of parliament FINDIS and DECLARES That thair ſalbe ſeverall cõmiſſions given for the tryell of þe particular loiſſes baithe for ſhyres and burghes And that þe gentlemen of þe ſhyres ſalbe in the cõmiſſion for tryell of þe loiſſes of þe burghes And the burgeſſ of burghes to be in the cõmiſſion for tryell of þe loiſſes of þe ſhyres Bot ordanes the quorum in the cõmiſſion to be promiſcuous ITEM That the tryell and ſrvice be not retardit The eſtates ffindis and declares That þe cõmiſſions may be grantit to perſones of that ſame ſhyre wherof the loiſſes ar to be tryed Theſe perſones being ſuche as ſalbe particularlie approven and men of knawine integritie be the parliament or this cõmittie And that the buſſines may be the ſooner effectuat and the ſaidis Loiſſes the more ſpeidilie repaired The eſtates ordanes the cõmiſſioꝛꝭ appointed for þe proceſſ to goe ſeriouſlie about to reſſave informaõune of all ſuche perſones as ar not alreadie cited and may be proceſſed vpon forfalto^{r} ITEM The eſtates Ordanes That thair be ane particular Regiſter and clerk appointed for regraõune of þe Reportis of þe cõmiſſions formarlie given out or to be given out heireftir for tryell of þe loiſſes Quhilk the clerk of Reg̃re p̃nt in parliament Vndertook to doe ITEM The eſtates of parliament for facilitating of þe buſſines and more quick diſpatche þrof Grantis power to þe cõmittie for þe loiſſes To direct furth cõmiſſions to particular ſhyres or burghes ffor tryeing of þe loiſſes þrof And ordanes the forme and draught of ane of theſe cõmiſſions to be writtin / preſented / red and approven in parliament That þrefter and according þrto the cõmittie for þe loiſſes may give out and direct þr cõmiſſions to þe ſhyres and burghes as is before appointed Anent the whilkis premiſſ abonew^{r}in The eſtatꝭ declares thir p̃tis ſalbe ane ſufficient warrand /

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VIII JANUARII.

ACT anent the Claſſes and degrees of Delinquents not to be proceſſed to death and rewles for ſeverall fines conforme p'to

17 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Have ordained, and ordaines, That theſe who have only been preſent at the battell of Philiphauch with the rebells, or who have received and exerced Commiſſions, or received and execute orders for promoving the ſervice of the Rebells, or perſwaded and compelled others to riſe with them, or hes aſſeſſed Shires, Perſons, or Burghs, or hes raiſed, or forced men in the Shires to riſe, and hes caryed them alongs to the ſaid Battel, whoſe perſons the Parliament or their Committees hes not nor ſhall not think fit to proceſſe to death; Be fined by payment of ſo many years rent, as ſhall not be within four, nor without ſix years of their Rent, Leaving the latitude thereof to the Parliament or their Committe, to be diſpenſed with as they ſhall think fit, after conſideration of the former cariage of the partie, With power to the Parliament or Committee of Eſtates, after finding by exact tryall made by the ſaid Parliament or Committee, that the partie delinquent is burdened with extraordinarie debt, That is to ſay, when the third part of his rent is exhauſted by payment of annualrents, upon the delinquents ſupplication, payment being firſt made of the three parts of the fine, To mitigate the fourth part of the fine, or ſo much thereof as the Committee ſhall think fit; And ſo foorth proportionallie for the other two ſubſequent claſſes underwritten. It is alwayes hereby declared, That there ſhall be no mitigation of the foreſaid fourth part, except the three parts be fullie ſatisfied at the tearmes of payment to be appointed for that effect: And it is declared, That theſe who have beene ſentenced or fined, or confined by the Parliament or their Committees, for their acting, plotting, conſulting, or correſponding with the enemy, ſince the Act of Oblivion in Anno 1641. againſt the publike in this cauſe, and hes now been relaps therein, or hes joyned with the Rebells in former Battells or parties, are not included under the compaſſe of this Act, but ſhall be remitted to the Parliaments determination or their Committees, And that by and attour any perſonall puniſhment to bee enjoyned by Parliament, or Committees of Parliament, by confining, baniſhment, or impriſonment.

THAT theſe who have put out Horſe or Foot, or hes furniſhed Armes or Ammunition for the aſſiſtance of the Rebells, by themſelves, or any others by their command or allowance, or hes joyned in any partie with the Rebels, or hes marched and ſtayed by the ſpace of twentie four houres with the Rebells forces, or hes drawn themſelves together in any conſiderable number to joyne with the Rebels, or hes keeped Randezvouſes, or Committees, or publike Meetings, with or for the advancement of the Rebells ſervice, or hes received Commiſſions or Orders for promoving the ſervice of the Rebells, and hes concealed the ſamine, or hes gone about to execute, though they did not execute the ſame; Be fined by payment of ſo many years rent, as ſhall not exceed four, nor be within two years rent.

THAT theſe who (not being compelled by force) of themſelves went or ſent into the Rebels Leaguer, and intercomouned with James Grahame, Alaſtar Mackdonald, or any of their prime and chief Commanders, without knowledge or allowance of ſome of the Generall Officers of our Army, or members of the Committee of Eſtates for intelligence, or hes interchanged Letters with them, or hes aſſiſted and ſupplyed the Rebells with Money, or given Band therefore, or hes without compulſion entertained them in their houſes, or hes received and keeped or procured or diſperſed protections, or ſafeguards from the Rebells; Be fined by payment of ſo much of their Rent as ſhall not exceed two yeers, nor be within half ane yeers Rent, With Latitude to the Judges upon conſideration of the circumſtances of the fact, and of the former carriage and affection of the parties, To diſpenſe with the fines, or any part thereof, of theſe who are onely ſubject to Cenſure, for receiving or purchaſing to themſelves Protections, or for ſimple going into the Leaguer, or ſpeaking with them without any promiſe of performance of aſſiſtance, or for giving Money or Band, or reſetting any of the Rebells being compelled; *It being alwayes underſtood*, That what hes been exacted of before from them for theſe Delinquencies ſince the fifteenth day of Auguſt laſt by any publike order, ſhall be allowed pro tanto.

THAT theſe whoſe eſtates or any part thereof conſiſts of goods and moveables, or in Money, upon whatſomever ſecuritie, heritable, or moveable, in their owne names or any others to their behove, or that did belong to them the time of the committing of the crimes contained in the firſt claſſe, Be fined in ſo much of their eſtate as ſhall not exceed a third part thereof, nor under two parts of that third part, which is betwixt threttie three Merks and twenty two Merks for ilk hundreth Merks of ſtock.

THAT theſe guilty of any of the crimes conteined in the ſecond claſſe, be fined by payment of ſo much of their money or moveables in manner foreſaid, as ſhall not exceed the two part of the third, nor under the third of that third part: And theſe guiltie of any of the Crimes contained in the third claſſe, Be fined by payment of ſo much of their Money or Moveables in manner foreſaid, as ſhall not exceed the third part of the third, nor be with-

in the quarter of the ſaid third part, Which is betwixt twentie two Merks and eleven Merks of ilk hundreth Merks of ſtock for the ſecond claſſe, and betwixt eleven Merks and thirtie ſix ſhillings eight pence for ilk hundreth Merks of ſtock.

FOR the better and more ſpeedy tryall of the Rents and Eſtates of Delinquents; That each Delinquent give up ane juſt and true inventar of his yearly Rent, and of the Moneys and Moveables belonging to him, with certification that the upgiver ſhall loſe the triple of that which ſhall be concealed, The third part whereof ſhall belong to the delater, and the other two parts to the publike, With power to the judge to take tryal of the ſaids Eſtates Heritable or Moveable by oath, or valuation of Taxt and Loane, or witneſſe, with deduction of ſuch few dutie and others burdens as the judge ſhall finde doeth really affect and burden the Land: And where Lands are affected with wodſets, compryſings, aſſignments, or backtakes, That the ſame may be firſt compted in the burdens of the Delinquents eſtate, and that the ſame and all other burdens be only for making up ſo much as will affect the third part of his yearly duty allanerlie; But prejudice to the proper wodſetters and others having reall rights: And where their debt exceeds the fifth part of the ſtock of their Money and Moveables, they ſhall have the ſame deduction of the fourth part, as in the firſt claſſe for the Land rent.

THAT the tearme of payment of the fine doe not exceed twentie dayes after the pronouncing of the ſentence, with power to the judge (the third part being ſo payed) to ſuperſede the payment of the other two partes, to be payed at two tearms within ſix Moneths immediatly thereafter.

AND if the partie Delinquent be a Liferenter or a Fiar, or hes any eſtate contracted to him, That his fine exceed not the half, nor bee within the third of the fine due to be payed by the Heritors that are in poſſeſſion, according to their Crimes reſpective foreſaids; But prejudice alwayes to them to pay for theſe Lands whereof they are in poſſeſſion as any other Heritor, With power to the judge (the third part being payed by the Fiar or Liferenter within twentie dayes after the ſentence) to ſuperſede the payment of the other two parts to bee payed within ane yeare immediatly thereafter, with deduction for debts according to the proportion abovewritten: With certification to ſuch as ſhall be fined, and makes not payment of their fines at the tearmes of payment appointed by the Judge, They ſhall be lyable in payment of the double of ilk tearmes payment, within twentie dayes thereafter.

THAT the perſons guiltie of any of the crimes contained in the firſt claſſe, Be ſimply diſcharged from all places of publike truſt, and from having place or voice in Parliament, Committees, Counſell, Seſſion, Office of Eſtate, Armies within or without the Kingdome, and from having voice in the elections of Commiſſioners for Shires or Burghs, and from being Collectors, Sheriffes, Bailies of Regalities, Stewarts of Stewartries, Magiſtrates within Burghs, or any other publike Judge, Miniſter or Officer, either in Burgh or Landward, Commiſſioners, or any Clerks whatſoever, And that during the continuance of thir troubles, and till the peace of the Kingdome be ſetled: But prejudice to theſe who are not included in this Act of their right of preſentation to fill the ſaids places to Burgh or Landward: And declares, That incaſe any heritable Officer ſhall loſe his office as falling within the compaſſe of the delinquencie againſt the firſt Claſſe; Then the Parliament, their Committee, or Counſell, ſhall fill the ſaids places.

THAT theſe guiltie of the crimes contained in the ſecond claſſe, Be ſuſpended from all places of publike truſt, and from having place or voice in Parliament, Committees, Counſell, Seſſion, Offices of eſtate, Armies within or without the Kingdome, and from being Collectors of Shires, Sheriffs, Bailies of Regalities, Stewarts of Stewartries, Magiſtrates within Burghs, or any other publike Judge, Miniſter, or Officer, Commiſſioners and Clerks whatſoever, while the next Seſſion of Parliament and further till they be reſtored.

THAT the perſons guiltie of any of the crimes contained in the third claſſe, Be remitted to the Judges, to be either ſuſpended or not, as they think fit.

WITH power to the judge to cenſure or fine any perſons of whatſoever qualitie, whom they ſhall finde after tryall to be guilty of any ſuch other Correſpondence, Intelligence, Aſſiſtance, Advices, or other Cariage with or for the Rebells, as did or might advance or further the rebels ſervice, & are not innumerate in the Articles of the three ſeverall claſſes abovementioned, and to proportion the cenſure or fine, according as they ſhall find the faults or crimes to correſpond to the guiltineſſe expreſt in the rules of the three claſſes reſpective.

AND Remits to the Commiſſion for the proceſſes to decerne againſt any of the delinquents, cenſurable for any of the Crimes contained in the claſſes abovewritten, according to the rules thereby preſcribed, during this Seſſion of Parliament.

AND the ſaids Eſtates of Parliament declares, That notwithſtanding for good cauſe and reaſons, They have abſtained from execution of the rigor of the Law, againſt ſuch Perſons as are guiltie of the Crimes contained in the claſſes abovewritten,

Yet, That none may wreſt the intention of the Eſtates of Parliament, To the encouraging of any future rebellion, or defection from this Cauſe and Covenant, by the mitigation of the puniſhment of the faults aboveſpecified: They declare the former Acts of Parliament to ſtand ſtill in full vigor and force, againſt all correſpondencie and complyance with the enemies of God and this Kingdom, as is mentioned therein: And appoints the Letters of intercommuning to be againe renewed and publiſhed, That none pretend ignorance thereof, and the tranſgreſſours of the ſame to be puniſhed with all rigor, without mitigation or favour: And ordaines publication to bee made hereof, and of the Letters of intercommuning, By open Proclamation at the Market Croſſes of Edinburgh, Pearth, Dundee, Aberdene, Stirling, S. Andrews, and Glaſgow; Which the Eſtates declares to be ſufficient for the full certioration of the haill Lieges.

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18 COMMISSION to the Lord Generall and others, anent New-wark of Trent.

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19 ACT in favours of the Town of Dundy.

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20 ACT in favours of Archibald Hay.

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XV JANUARII.

ACT anent the fining of appeirand heires.

21 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Having taken to their conſideration this Quære underwritten anent appeirand heirs, viz. What courſe ſhall be taken for fining of appeirand heirs, who are not ſeiſed nor have their eſtates provided or contracted to them, but may ſucceed thereto? They finde and declares, the fine of the appeirand heirs Not to exceed one year and ane halfe years rent of that whereunto they are apparent to ſucceed, and not to be within ane years rent thereof, with deduction of the whole debts wherewith the Lands or eſtate whereunto they are to ſucceed is burdened: And grants power to the Judge to take tryall and determine the quantitie they are apparantly to ſucceed to, And this to be extended only to appeirand heirs in recta linea, and the terms of payment to be according to the former rule in the act of Claſſes.

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XVI JANUARII.

DECREETS of Foreſaltour againſt S[r] Robert Spotiſwood, Nathaniel Gordon, William Murray, and M[r] Andrew Guthrie. 22

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COMMISSION for trying Beſsie Cannan. 23

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COMMISSION for viſiting of the Univerſities of Aberdeene. 24

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DECREET Earle of Lanerk contra the Lairds of Lamyngtoun and Lag. 25

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ACT in Favours of the Lords Montgomery, Levingſtoun, and Sinclare. 26

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ACT and ratification in Favours of M[r] James Baird Advocat. 27

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APPROBATION in favours of Lieutenant Generall Baillie. 28

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COMMISSION for trying of Robert Forreſter. 29

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ACT anent the Commiſſar Clerk of Wigtoun. 30

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ACT in favours of the Univerſity of S. Androis. 31

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OVERTURES for the Kirk, and Ordinance of Parliament thereanent. 32

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ACT anent the Sheriffe of Berwick. 33

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COMMISSION for tryall of the loſſes of the Sheriffedome of Aberdene. 34

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XXII JANUARII.

ACT in favours of the Coale and Salt Maſters.

35 FORSAMEIKLE as the Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration the deſire of the Petitions given in to them, by John Earle of Weymes, Alexander Lord Elphingſtone, George Lord Forreſter, and Sir Alexander Shaw of Sauchie, for themſelves, and in name of the remanent Maſters of Coale and Salt within this Kingdome, Complaining that the commoditie of their Coale and Salt Rent could not be ſtented for the laſt five monthes of the nine moneths Maintenance, according to the firſt valuation when their trade of Coale and Salt was great (Newcaſtle being then cloſed up) in reſpect of the great diſproportion of the benefit of the Coale and Salt ſince that time, the trade of Coale and Salt of Newcaſtle being patent; And herewith alſo, The Eſtates of Parliament, conſidering that the Committee of Eſtates by their Act the ſecond of May 1645. Did, in reſpect of the knowne diminution of the trade of Coale and Salt within the Sheriffdome of Fyfe, recommend to the Committee for valuations of that Sheriffdom, the tryall concerning the rectifying of their valuations upon the benefit of the trade of Coale and Salt, according to the preſent proportion of the trade and benefit thereof: But prejudice of the preſent payment of the firſt foure Moneths pay. The ſaids Eſtates recommends to the Committe for valuations of the ſaid Sheriffdom of Fyfe, and to the Committees for valuations in the remanent Shires of the Kingdome where the trade and benefit of Coale and Salt is valued, The deſire of the ſaid ſupplicants, and tryall concerning the rectifying of the ſaids valuations upon the benefit of the trade of Coale and Salt, according to the preſent proportion of the trade and benefit thereof; And ordains the ſupplicants and remanent Maſters of the Coale and Salt within the kingdome to pay the monethly Maintenance for the laſt five moneths of the whole nine moneths, according to the valuations of the trade, commoditie, and benefit of their ſaid Coale and Salt ſo to be rectified, ilk ane of them ſeverally, conforme to their own proportionall parts in their ſeverall Shires, according to the valuations to be ſet downe hereanent.

ACT diſcharging Officers and Souldiers to exact Moneys, they getting free Quarters.

36 THE Eſtates of Parliament now conveened, in this fifth Seſſion of the firſt Triennall Parliament, after conſideration of the deſire of the Committee of Warre of the Sheriffdom of Fyfe, concerning the Quartering in that Shire of the Earle of Dalhouſie and Generall of Artillery their Regiments, Diſcharges the Commanders, Officers, Troupers, and Souldiers of theſe two Regiments, and all others, of all taking or exacting of any moneys from any of the ſaid Shire, or from any others whatſoever, They getting ſufficient free Quarters for their entertainment, where they are or ſhall be Quartered, whereanent thir preſents ſhall be ane ſufficient warrand.

XXVII JANUARII.

ACT anent the Monethly Maintenance for the ſpace of eight Moneths.

THE Eſtates of Parliament now conveened, in the 37
fifth Seſſion of this firſt Triennall Parliament, Taking to their ſerious conſideration the long continuance of the preſent Rebellion, and great expences that they muſt be at for ſuppreſſing thereof, and carrying on of the Warre, and how neceſſar it is and incumbent to them, that ſome ſolide and ſettled way be provided for the conſtant Maintenance of the Forces, Horſe and Foot, already Leavied and to be Leavied or brought in within this Kingdome, towards the proſecution of the Warre againſt theſe horrid Rebels, untill the ſame, by the bleſſing of the God of Hoſts, bee brought to ane happy end, Have therefore thought fit, Statute and Ordained; Likeas for that effect they Enact and Ordaine, That ilk Shire and Burgh within this Kingdome ſhall be ſtill lyable in payment of the particular ſums of Money Monethly, for entertainment of the ſeverall proportions of Forces, Horſe and Foot, contained in the Rolls following: And that for the ſpace of Eight Moneths next and immediatly following the firſt of December laſt by-paſt 1645 yeers, and to continue till the laſt of July next to come inclufive. And that the payment be made by the ſaids ſeverall Shires and Burghs from two Moneths to two Moneths, Beginning the firſt two Moneths payment betwixt and the ſecond day of February next, for the Moneths of December and January inſtant: The ſecond two Moneths payment to be betwixt and the firſt day of March, for the Moneths of February and March: And the third two Moneths payment to be betwixt and the firſt of May, for the Moneths of April and May: And the laſt two Moneths payment to be betwixt and the firſt day of July next to come, for the Moneths of June and July.

FOLLOWS the ſums of Money Monethly payable by the Shires, viz. Orknay of Monethly pay 1143 l. Innerneſſe 4176 l. Caithneſſe 945 l. Cromarty 99 l. Sutherland 423 l. Nairne 315 l. Elgine 1890 l. Aberdene 6543 l. Bamffe 1431 l. Kincardine 1566 l. Forfar 5004 l. Perth 8001 l. Fyfe 6642 l. Stirling

2538 l. Kinroſſe 144 l. Clackmannan 522 l. Edinburgh 4167 l. Linlithgow 1746 l. Hadington 3384 l. Berwick 3555 l. Roxburgh 5778 l. Selkirk 1278 l. Peebles 1638 l. Lanerk 5382 l. Air 6066 l. Wigtoun and Stewartrie of Kircudbright 4374 l. Drumfreis 4446 l. Renfrew 2205 l. Dumbartan 1233 l. Argyle 2907 l. Bute 459 l.

FOLLOWS the ſums payable Monethly by the Burrows, viz. Edinburgh 516 l. Perth 99 l. Dundee 167 l. Aberdene 144 l. Stirling 324 l. Linlithgow 270 l. S. Andrews 540 l. Glaſgow 99 l. Air 369 l. Hadingtoun 324 l. Dyſert 270 l. Kirkaldie 414 l. Monroſe 477 l. Cowper 216 l. Anſtruther eaſter 279 l. Drumfreis 296 l. Inuerneſſe 360 l. Brechen 180 l. Irving 207 l. Elgine 180 l. Jedburgh 162 l. Wigtoun 135 l. Pittinweeme 135 l. Dumfermling 108 l. Dumbartan 108 l. Renfrew 90 l. Lanerk 144 l. Kirkcudbright 180 l. Aberbrothok 90 l. Bruntiland 144 l. Peebles 90 l. Carrail 216 l. Kinghorn 126 l. Tayne 108 l. Selkirk 90 l. Anſtruther weſter 54 l. Culros 108 l. Dumbar 108 l. Bamff 72 l. Whithorn 45 l. Forfar 54 l. Forres 54 l. Rotheſay 45 l. Rutherglen 45 l. Northberwick 36 l. Culane 36 l. Nairne 36 l. Lawder 45 l. Inuerkeithing 90 l. Kilrynnie 27 l. Annan 27 l. Lochmaben 27 l. Sanchuer 27 l. Galloway 9 l. Queensferry 63 l.

AND for the better Inbringing and Collecting of the foreſaids ſums of Money, for payment and entertainment of the ſaids Forces, aſwell Officers as Souldiers, The Eſtates nominates and appoints Sir Adam Hepburn of Humbie Theſaurer of the Armies Generall Collector; with power to him to ſubſtitute Deputies in ilk Shire, and that other Collectors in Burghs and Paroches bee appointed in ſicklike manner as is contained in the Act of Loan and Taxt; Which Collector Deputes, as well of Shires as Paroches, and Clerks of Shires, ſhall have ſuch Fees as is allowed in the Act of Convention anent the Fees for Ingathering of the ſaid Loan and Taxt. And that to be up-lifted out of the ſaids Shires and Paroches within the ſame, by and attour the Monethly Maintenance. And the Burghs to be free, in reſpect they Collect their proportions upon their own charges. And with power to the ſaid Generall Collector to appoint a Clerk of Collection, which Clerk of Collection to be appointed as ſaid is, Shall have the ſum of two hundred pounds Sterline to bee payed out of the ſaid Monethly Maintenance, for his pains and charges in the ſaid Collection of the foreſaid Eight Moneths Maintenance. And it is declared and ordained, That the Letters and charges to follow upon this preſent Act, ſhall be raiſed and direct at the inſtance of the ſaid Generall Collector, againſt the ſaid ſubcollectors of the Shires, Magiſtrates of Burrows, Collectors of Parochines, Heretors, Fewars, and others addebted in payment of their ſeverall proportions of the foreſaid Maintenance, in the ſame manner, with the ſame proviſions and certifications contained in the Act of Convention of Eſtates made for the Loan and Taxt, and they to have Letters of relief, as in the ſaid Act of Convention.

ITEM, If any Shire, Burgh, or Perſon therein deſigned, be deficient in paying of their Monethly proportion, after ordinar diligence ſhall be uſed againſt them, The Eſtates of Parliament appoints all Officers of Warre to be aſſiſtant to the Generall Collector and his Deputies, by giving Troopers or Footmen to Quarter upon free Quarters, ay and while payment be made: And if need be, The Eſtates of Parliament authorize the Generall Collector or his Deputies, by the advice and concurrence of the Committee of Warre of the Shire, to raiſe Six or Eight Horſemen for ingathering of the ſaid Maintenance, to bee entertained as ordinar Troopers, at Eighteene ſhillings Scots per diem, upon ſuch Deficients of ilk Shire and Burgh, as the Committee of Warre of the Shire ſhall appoint and direct: And in caſe of the refuſe or neglect of the Committee of the Shire, With power to the ſaid Collector or his Deputies, after the inſtruction of the Deficiencie, and Horning againſt the Deficients, to direct the ſaids Troopers for up-lifting of the ſaids Maintenance from the Deficients.

IT is hereby declared, That ſuch Lands and Burghs as ſhall bee found by the Committees reſpective, who ſhall be appointed for that effect, or by Commiſſioners from any of them, to bee ſtill poſſeſſed by the Enemie, or to have beene burnt or waſted by the Enemie, our owne Forces, or the Plague, ſo that the Heretors thereof are diſabled therethrough to make payment of their ſeverall proportions impoſed upon the ſaids Lands, ſhall bee free of the ſaid Monethlie Maintenance pro tanto: Which Deficiencie is to bee ſupplied by the Committee of Eſtates, out of the Fines, Forfaltors, or any other Moneys due to the Publike, which is not or ſhall not be diſpoſed on in this Seſſion of Parliament.

AND it is further ordained, That wherein the ſaid Monethly Maintenance impoſed upon the ſeverall Shires and Burghs of this Kingdome, ſhall fall ſhort, or be Deficient in payment and ſatisfaction of the Forces, Horſe and Foot that ſhall bee on foot for proſecution of the foreſaid Warre, the ſame be ſupplied out of the Fines, Forfaultors, Moneys for forfaulted Lands and Rents, paſt and done, or to be done by this preſent Parliament or their Committees.

ITEM, It is ordained, That no ſuſpenſion be granted to any perſons whatſoever, without conſignation of the ſums charged for in the hands of the Collector of the Shire, and of the Burgh for the Burghs, unleſſe the reaſons thereof can be inſtantly

verified by Diſcharge, or inſtructed by Count of Quarterings, conform to the Act of Quartering. And theſe Quarterings to bee within the eight Moneths now condiſcended to, or verified by Sentences of the Committee, declaring ſuch and ſuch Burghs or Lands to bee burnt or waſted by the Enemie, our own Forces, or the Plague, or that the ſaids reaſons bee made notor at the paſſing of the Bills in preſentia, or by any three of the Committee of Eſtates or Committee for Moneys and Accompts, to the which Suſpenſions the ſaids Committee of Eſtates ſhall be onely Judges, and theſe Suſpenſions to be paſt by the Clerk of Regiſter and his Deputies.

ITEM, It is enacted and ordained, That there be Retention of Eight of each hundred of Annual Rents, being one for ilk hundred monethly, to be allowed by the Creditor at the Terms following, viz. Of Six for ilk hundred, as ſaid is, if the Annuall Rents bee payable at Whitſunday next, and of the other two at Mertimes thereafter, and of the whole Eight for ilk hundred at the Terme of Lambes next to come, if the ſaids Annuall Rents of the principall ſum bee then payable. And it is declared, That the Creditor ſhall have power to charge his Debtor at any Terme or time conforme to his ſurety.

AND ſicklike, It is Declared, Statute, and Ordained, That no Retention of this preſent Maintenance ſhall bee granted for any debts, Cauſe, or Occaſion whatſoever, and that no exemption other nor is abovewritten ſhall be granted therefrom to any perſon or perſons, except onely for Lands, Rents, Annual-rents, and other duties mortified to Colledges, Schools, Hoſpitals, Miniſters and Schoolmaſters ſtipends, and for upholding Kirks or Bridges: But that all other Heretors, Liferenters, Takſmen, Titulars, Proper Wodſetters, Penſioners, Conjunctfiars, and Ladie-terces, and others ſubject to the valuation within Shires or Burghs, ſhall be lyable to their proportionable part of this Maintenance: And that the Lands and Teinds ſhall pay as they lie locally in Shires, conforme to the Act of Convention for the Loan and Taxt, or laſt Act of Maintenance.

AND laſtly, where there is any wrong done in valuation, The ſaids Eſtates appoints the valuers of each Shire, or Quorum thereof, or of ſo many as are on life and not cenſurable conform to the Act of Parliament dated the 8 of January inſtant, To meet and rectifie the ſame, at any time and place as they ſhall appoint; Declaring alwayes, That this Warrand for a new Valuation ſhall bee no hinderance or diminution to the payment of the Maintenance. And where there is not a full Quorum of the Valuers on life, and not in Rebellion, That the number be ſupplied by the Parliament, or Committee of Eſtates: And for the Burrows part, it ſhall be rectified and altered according as their Taxt Roll ſhall be altered, there being no diminution of the totall ſum. But prejudice of the Lords of Seſſion their priviledges conforme to the former Acts of Maintenance.

ACT anent the Quarterings, and payment thereof.

THE Eſtates of Parliament now conveened, in the 38
fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration the great burden under which the Countrey groneth, through the exorbitant Quarterings of the Forces Horſe and Foot, that have been this long time bygone, and ſtill is, And how unreaſonable it were that the Lieges ſhould both be lyable to the ſaids Quarterings, and alſo in payment of the Monethly Maintenance impoſed upon the Kingdom; Have therefore thought fit to Statute and Ordain, Likeas by thir preſents they Statute and Ordain, That all the Quarterings within this Kingdom yet unpaid preceding the firſt of March laſt in Anno 1645. Be duely ſatisfied and paid out of the firſt and readieſt of the Exciſe, and that upon Compt, Conform to the Act of Parliament made thereanent, and out of the reſt of the Taxt and Loan, if any be as yet undiſponed upon: And doth Declare and Ordain, That the Quarterings reſtand awand ſince the firſt of March laſt and preceding the firſt of December, the ſamen being proven, Conforme to the probation contained in the Act of the date the twenty tua day of Februar 1645 yeers, as well to Heritor as Tenant ſhall be allowed to the Heretor, he produceand the Tenants warrand for that effect, out of that which reſts unpaid of the firſt ſeven Moneths Maintenance, and what is reſtand unaſſigned of the other tua of the nine Moneths, and where it is totally exhauſted to be out of the Exciſe which is not already diſpoſed upon: And Ordains the ſuperexpences of the Generall Commiſſar in his accompts fitted in the Moneth of Januar inſtant; And the Meale furniſhed by certain Noblemen and others ſince the ſaid firſt of March and before the firſt of December, for Maintaining of the Army and Gariſons in Scotland, To be paid out of the Maintenance of the Shires that are not exhauſted with Quarterings: And Ordains five hundred Bolls Meale to be ſent to Argyle, to be out of the firſt end of the by-run Maintenance of Galloway and Kircudbright. And Ordains the remanent of the ſaid ſeven Moneths Maintenance (the allowance of the Quarterings and payment of the particulars foreſaids being firſt made) to be imployed for the relief of ſuch Shires and Burghs as ſhall be further over burdened with Quarterings nor their Maintenance will pay. And becauſe there be many who through want of Billets atteſted under the Officers

hands, may ſuſtain great prejudice and loſſe, unleſſe remeid be provided: It is therefore Enacted and Ordained, That the Officers of ſuch Regiments and Troops as are within the Kingdome ſhall compeir upon the firſt Tueſday of Februar next, either by themſelves or any for them in their name: And the Officers or any for them, for the Regiments and Troops in England, and which were in Scotland upon the laſt Tueſday of March next to come thereafter, at the head Burgh of each Shire, or the ordinary places of meeting of the Committees of War within the ſamen, Or ſuch place as the Committe of the Shire ſhall appoint; To hear & ſee the accounts of the Quarterings taken up by them, as well for the Officer as Souldier, made and fitted, and probation led therein before the Committee of War of ilk Shire, or any tua of them, with certification, if they, or ſome in their names compeir not at the dayes and places reſpective abovewritten, probation ſhall be led againſt them and ilk ane of them: which probation ſhall be led before the Committees of War in ilk Shire, or any tua of them, who are hereby fully authoriſed for that effect, To deduce the ſaid probation either by Writ or Witneſſes in Communi forma, which probation being ſo cloſed and made ſhall be ane charge upon ilk ane of the ſaids Regiments, Troops, and Companies pro tanto, and a ſufficient Warrand to the party to receive payment or allowance, Conform to the eſtabliſhment after the compt fitted, and no other wayes.

AND for the more orderly Quartering and relief of thoſe who may be overburdened thereby, It is Statute and Ordained, That where any Quarterings are within any Shire or Brugh, or have been ſince the firſt of March laſt to the firſt of December, upon particular perſons or Paroches, That the remanent Heretors and others of that Shire or Burgh ſhall contribute for relief of thoſe Paroches or Perſons upon whom the Quarterings are, ſua far as the Nine Moneths Maintenance will extend, viz. Fra the firſt of March to the laſt of November. And ſicklike thoſe who ſhall be overburdened fra the firſt of December to the firſt of Auguſt following, to have the like relief. And where the Maintenance of the Shire will not relieve the Quarterings thereof, that relief bee made out of the Maintenance of the remanent Shires.

AND for Quarterings in time coming, It is further Statute and Ordained, That what ever Officers of the Army within this Kingdom ſhall not give Billets or Notes for their Quarterings, That it being proven that they Quartered in ſuch and ſuch places, and did not leave Notes or Billets for the ſamine, Conform to the juſt numbers Quartered, both Officers and Souldiers, That then, and in that caſe, no pay ſhall be given to the ſaids Officers and Souldiers ſo failzeing, untill the Notes and Billets bee given to the perſons, Paroches, and Shires upon whom they were Quartered, as ſaid is.

AND it is likewiſe Enacted and Ordained, That the firſt Tueſday of every Moneth ſhall bee appointed at the ordinar places of meeting for making of the Quartering Compts within ilk Shire, and leading the probation as ſaid is; And it is ordained that the Collector of ilk Shire be warned to be preſent, either by himſelf or ſome in his name, at the ſaids times and places reſpective.

XXXI JANUARII.

ACT anent perſonall and reall execution againſt Delinquents.

THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament; Taking to their conſideration, That for the better execution of the ſentence or ſentences to bee pronounced by the Commiſſioners for the proceſſes, during this Seſſion of Parliament and thereafter, by ſuch Commiſſioners as the Parliament ſhall appoint for that effect againſt any Delinquents, conforme to the rules hereby preſcribed: And for the more ſpeedie and ready inbringing of their fines, It is Statute and Ordained that the perſons fined, incaſe they give not ſufficient ſecuritie for the ſums impoſed upon them, ſhall be preſently put in ward, in any ward or priſon within this Kingdome, as the Commiſſioners appointed or to be appointed thinks fit, therein to remaine till they make payment of their ſaids fines; And that Letters of horning upon ſix dayes warning, and Letters of Poinding and appryſing in forme as effeires be direct upon any ſentences to bee pronounced by the Commiſſioners of Proceſſes, during this Seſſion of Parliament, or by any Committees the Parliament ſhall appoint for that effect thereafter, againſt the ſaids Delinquents or any of them, for payment of their ſaids fines. And farther but prejudice of the wairding, Letters of horning, poinding, and appryſing foreſaid, and all that may follow thereupon, incaſe the ſaids Delinquents ſhall failzie to make payment of their ſaids fines, or any part thereof, at the termes appointed for payment of the ſame, either firſt, ſecond, or third terms payment thereof; Then, and in that caſe, the ſaids Eſtates of Parliament, By thir preſents, Gives full power and Commiſſion to the ſaid Commiſſioners of Proceſſes during this preſent ſitting of this preſent Seſſion of Parliament, and thereafter to the Committee or Committees to be appointed by the ſaids Eſtates of Parliament for that effect (immediatly after the firſt failzie to be committed by the ſaids delinquents, or any of them, of the payment of their fines or any part thereof) To cauſe ſequeſtrate the ſaids Delinquents haill Rents and Eſtates, uplift and ingather the ſamine, to the publike uſe for payment of the ſaids fines, 39

And to take their houſes and put Gariſons therein upon the charges of the Delinquents, and that by and attour their fines and failzies appointed or to be appointed to bee payed by them. And alſo ordaines the ſaids Delinquents, To ſell and diſpone Heritablie and Irredeemablie, the Lands, Heritages, Teynds, and others whatſomever, with the pertinents pertaining to the ſaids Delinquents (who ſhall happen to failzie in payment of their fines as ſaid is) at the leaſt ſo much thereof as will be equivalent to their ſaids fines and failzies at the rate of ſeven years purchaſe: And thereupon, to make, ſeal, and ſubſcribe, Diſpoſitions and Alienations thereof, and all other Writs and Securities requiſite to any perſon that will pleaſe to accept and buy the ſame at the ſaid rate, with abſolute warrandiſe to be contained therein againſt all deadly: Which right and diſpoſition ſua to be made of the ſaids Lands and others foreſaids To the buyers; The Eſtates of Parliament By thir preſents declares, ſhall bee in all time thereafter ane good and valide right to the buyers their heires and aſſignes, to brook the ſamine Lands and others in perpetuum, als freely and als peaceably as the ſaids Delinquents themſelves might have brooked the ſamine, by vertue of their preceding Rights and Titles: And if the ſaids Delinquents ſhall either refuſe and poſtpone, or be abſent; To diſpone and annalie their Lands, Heritages and others foreſaids, at the leaſt ſo meekle thereof as will pay their fines and failzies: Then, and in that caſe, The Eſtates of Parliament gives full power and Commiſſion to the ſaids Commiſſioners reſpectivè aboveſpecified, To ſell annalie and diſpone to any buyer that will accept of the ſamine, any Lands, Heritages, Teynds, or others whatſomever with their pertinents pertaining to the ſaids Delinquents, at the leaſt ſo meekle thereof as will ſatisfie and pay their ſaids fines and failzies, at the ſaid rate of ſeven years purchaſe; Which diſpoſitions ſo to bee made by the ſaids Committees reſpectivè foreſaid, The ſaids Eſtates of Parliament, declares to be als good and valide a right to brook the ſaids Lands and others foreſaids, as if the ſamine were made by the Delinquents themſelves, and gives warrand to the Theſaurer or Commiſſioners for the Exchequer, to receive the ſaids buyers upon the diſpoſitions ſua to be made gratis: And to the effect The ſaids buyers may the more peaceably Bruik and Poſſeſſe the ſaids Lands, The ſaids Eſtates of Parliament Ordaines the ſaids Delinquents, diſponers foreſaid, of their ſaids Lands, Teynds, and others foreſaids, To deliver the evidents of ſuch Lands as they ſhall diſpone upon oath to the partie buyer, if there be no other Lands comprehended within the ſaids evidents of greater value then the ſaids Lands diſponed; And if there ſhall be Lands within the ſaids evidents of greater value nor the Lands diſponed, Then the ſaids Eſtates Ordaines [the ſ^d^ delinquents to make the ſaid^e^ evidents furth cumand to the pairtie buyer vpon oath To the effect the ſaid buyer may] have the authentick tranſumpts thereof; With power likewiſe to the ſaid Commiſſioners appointed or to be appointed, to ſeaze upon their haill Evidents, and detaine them till they make payment of their fines and failzies: And alſo incaſe any of the ſaids Delinquents ſhall poſtpone, be abſent, or refuſe and delay to make payment of their ſaids fines as ſhall bee impoſed upon them by vertew of this preſent Act; Then, and in that caſe, The Eſtates of Parliament Statutes and Ordaines, That any perſon or perſons whatſomever who are reſting any ſums of Money to the ſaids Delinquents by whatſoever manner of way, ſhall be cited and conveened before the ſaids Commiſſioners for the Proceſſes during their ſitting, and thereafter before the Commiſſioners to be appointed for that effect, and decerned to make payment of ſuch ſums of Money as they are reſting to the ſaids Delinquents to the publike, in contentation of the ſaids Delinquents their fines pro tanto, upon ane diſcharge to be granted to them thereupon by the ſaids Commiſſioners or their Theſaurer reſpectivè forſaids with abſolute warrandiſe: Which diſcharge, The Eſtates of Parliament declares ſhall bee as valide a diſcharge to the receivers thereof, as if the ſamine were made, and granted by the ſaids Delinquents themſelves, To free them at the hands of the ſaids Delinquents, and at the hands of all perſons whatſomever. And to the effect, it may be conceived what ſums of Money are aughtand by any perſon to the ſaids Delinquents; The ſaids Eſtates Ordaines publication to be made at the Market Croſſe of Edinburgh, the Market Croſſe of the Town where the Committee ſhall ſit, and Market Croſſe of the Shire where the Delinquent dwells; That ſuch perſons are decerned and declared to be Delinquents, and hes not made payment of their fines, and commanding all perſons whatſomever addebted to the ſaids Delinquents in any ſums of Money by Band or otherwiſe, To come and give up the ſame to the ſaids Commiſſioners preſent, or to be appointed, which perſons upgivers ſhall have the fifth part of the ſums aughtand by them to the ſaids Delinquents allowed and quit to them: And incaſe the ſaids Perſons Debtors to the ſaids Delinquents ſhall failzie to come in and give up the ſaid ſums aughtand by them to the ſaids Delinquents, after publication made in manner aboveſpecified; Then, and in that caſe, the foreſaids Perſons Debters ſhall be lyable in payment of a fifth part more nor that which they were formerly aughtand, in reſpect of their contumacie.

II FEBRUARII.

ACT anent the Committees of Warre in the ſeverall Shires.

THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, 40

Taking to their conſideration, That the ſame cauſes that moved the Convention of Eſtates in Auguſt 1643. and the Parliament ſenſyne to appoint Committees of War in the whole ſeverall Shires of this Kingdom, for the furtherance of the Service of the Kingdom, Do not onely yet remain, but are further increaſed; Therefore the Eſtates of Parliament Nominates and Appoints the perſons reſpectivè after ſpecified, To be upon the Committees of War of the ſeverall Shires reſpectivè underwritten, both for Burgh and Land, viz.

FOR the Sheriffdom of Stirling, James Earle of Calender, the Laird of Harbertſhire, the Laird of Bonhard, the Laird of Dederſe, the Laird of Quarrell, the Laird of Stanhows, the Laird of Lantown, the Laird of Balgonie, the Laird of Cardene, the Laird of Leckie, the Laird of Boquhane, the Laird of Bancloichè, Thomas Bruce old Proveſt of Stirling, John Schort Proveſt of Stirling, M. John Cowane in Stirling, the Laird of Boquchanan, the Laird of Woodheid, Robert Blair of Finnick, John Grahame of Poldaire, Thomas Boquhanan of Boquhane, the Laird of Drumikill, the guid man of Boquharrage, the Laird of Polmais. Seven to be the Quorum, and to be Conveener for the firſt time.

ITEM, For the Sheriffdom of Angus, Panmure younger, Peter Young of Seaton, John Achterlownie of Guind elder, John Ogilvy of Pitmones, William Ruthven of Gairdene, John Auctherlonie for Arbrothe, James Arbuthnet of Arbeikie. Presbytery of Brechin: Robert Arbuthnote of Findourie, George Summer of Balgodie, John Fullertoun of Kynnaber, James Scot of Loigie, James Guthrie of Pitforthie, James Peadie for Montroſe, William Lion for Brechin. Presbytery of Forfar: Frederick Lion of Bridgtoun, Wil. Grahame of Cleverhouſe, Tho. Fothringhame of Donoone, the Laird of Coſſens elder, James Pierſon of Balmadies, M. David Lindſay of Pitſcandly, M. William Oliphant, Henry Maule of Melgum, John Mill for Forfar. Presbytery of Dundee: The Laird of Tailling, John Scrumgoure of Kirktoun, Alex. Watherburne of Kinginie, Durhame of Grange, M. John Fothringham, M. James Kid of Craigie, Geo. Campbel of Carſgownie, Thomas Haliburtoun for Dundee. Presbytery of Meigell: James Creichtoun of Ruthven, John Ogilvy of Balfoure, Sir William Blair of Bargillo, John [Nevay] of Meathie, Alex. Arbuthnot of Blackſtoun, Durhame of Powrie, M. Alex. Wedderburne, M. James Durhame of Pitkero. Six to be a Quorum, and to be Conveener for the firſt time.

ITEM, For the Sheriffdom of Wigtoun, The Earle of Caſſils, the Earle of Galloway, the Lord Garleis, Sir Patrick Agnew of Lochnaw, Andrew Agnew appeirand of Lochnaw, Lairds of Barnbarroch, L. Craichlaw, L. Marton, L. Mochrum, L. Mochrum younger, L. Ardwell, L. Freuch, L. Logan, L. Craigcaffie, L. Parkhay, James Roſſe of Balneill, Thomas Adair Proveſt of Stranrawr, Sir Robert Adair of Kinhilt, Hugh Mackdowall of Knocklas, Hugh Kennedy of Sinnes, William Kennedy of Killeſpie, Andrew Macdowal of Kilaſter younger, Francis Hay of Ariuland, James Kennedy Factor to the Earle of Caſſils, Arch. Stuart of Fintalloch, Alex. Stuart younger of Phiſgill, David Dumbar of Baldon, John Houſtoun of Drumaſtoun, William Maxwell of Munreith, Patrick Ahanny Proveſt of Wigtoun, Patrick Agnew of Seuchan, Andrew Macdowall of Lefnow, William Gordoun of Grange, Robert Macculloch of Drummorres, Hugh Mackdowall of Dalregill, Laird of Garthland; with power to the ſaid perſons to meet in the ſeverall diviſions appointed to the Earle of Caſſils and Lord Garleis, according to the Act of Parliament in Auguſt 1644. Or joyntly, as ſhall be moſt expedient for the publike ſervice, and to be conveened by the Commiſſioners of the Shire, or either of them. Nine a Quorum of either of the Diviſions, and to be Conveener for the firſt time.

ITEM, For the Sheriffdom of Clakmannan, Sir Robert Bruce elder of Clakmannan, Sir Charles Erskin of Cambuskenneth, Sir James Rollock ſier of Dunkrub, Sir George Moriſon of Tillibody, M. Robert Bruce of Kennet, James Haddon of Myrtoun, Robert Maſtertoun of Parkmylne, Williame Grahame of Hiltoun, M. Wil. Blakburn Factor of Campbell, Thomas Rollock Sheriffe-Depute, James Patton of Sefort, Sir Alex. Shaw of Sauchie. Five to be a Quorum, and to be Conveener for the firſt time.

ITEM, For the Sheriffdom of Hadington, The Earles of Wintoun, Lauderdale, Hadington: L. Yeſter, L. Angus, L. Elibank: Lairds of Wauchton, Beile, Aderſtoun, Clerkingtoun, Robert Hepburn, Innerweik, L. Humbie, Sir John Sinclar of Steniſon, Sir Arch. Dowglas of Spot, Beinſtoun, Smetoun, Craig, Ruchlaw, Elvingſton, Preſtongrange, Preſton, Colſtoun, Foord, Whytlaw, Congilton, M. Alex. Hay of Barra, M. John Pringle ſiar of Woodhead, John Cockburne Proveſt of Hadington, James Purves Baily of Dumbar, Sir William Dick, Home elder in Northberwick, L. Levingſton, and Andr. Hamilton. Seven the Quorum, and to be Conveener for the firſt time.

ITEM, For the Sheriffdom of Berwick, The Earle of Hadington, the Lord Angus, L. Wedderburns elder and younger, Sir William Scot of Harden, the Laird of Langtoun, the Laird of Blacader, the Lairds of Swintoun elder and younger, the Laird

of Haliburtoun, the Laird of Lambertoun, the Laird of [Lummifden,] John Home of Nynhollis, Patrick Home of Coldinghamlaw, M. George Home of Bedfcheill, John Pringle Fiar of Stitchell, the Lairds of Foulden elder and younger, M. Henry Home of Heredrig, John Ker in Merfington, William Home of Linthell, Alexander Home of Baffindean, Robert Dickfon of Bucherig, Henry Carmichael of Edrem, the Laird of Thorniedykes, James Home of Caftellaw, M. Alexander Home of S. Leonards, Alexander Wilkiefon younger for the Burgh of Lawder, the Laird of [Toftis,] Sir James Nicolfon of Cobethfpeath, Sir Patrick Home of Polwart: Whereof feven to be a Quorum, and to be conveener for the firft time.

ITEM, For the Sheriffedome of Roxburgh, Francis Earle of Balcleugh, the Earle of Louthian, Sir William Douglas of Cavers, the Laird of Edname, Sir Andrew Ker of Greinheid, Sir Walter Riddel of that ilk, Sir Thomas Ker of Cavers, Archibald Douglas fiar of Cavers, William Elliot of Stobes, John Ker of Lochtour, Walter Scot of Goudilands, Robert Pringle of Stichell, Gideon Scot of Harden, John Rutherfurd of Edgerftone, the Laird of Langlands, Mafter Gilbert Eliot of Craigend, Archibald Eliot of Falnefche, John Scot of Breideiyards, Robert Ker of Middelmeft vales, Andrew Ker of Mefendew, John Rutherfurd of Bankend, Andrew Bell of Mow, Gideon Wauchope, Mafter William More of Otterburn, Robert Scot in Braidhauch, Walter Riddel in Langhauch, William Ker in Suynfyd, William Ker of Newton, John Rutherfurd of [Caiphope,] the Laird of Beirope, M. John Brown. Seven to be a Quorum, and the Laird of Stobs to be conveener for the firft time.

ITEM, For the Sheriffdom of Perth, the Earle of Tillibardine, the Laird of Inchmartin, the Laird of Balthyock, Bruce of Fingafk, Sir Peter Hay of Megans, the Laird of Inchftuir, Laird Frieland, Laird of Addie Ballegerna, George Hay of Pitfkellie, Kinarochie Kethlick younger of Crowmane, of Bamff, of Furdiftoun, the Laird of Craighall, the Laird of Airdblair, William Lindfay of Kinlogie, the Laird of Inermay, the Baron of Fingafk, the Laird of Eifter Moncrief, William Moncrief of Kintillo, the Laird of Balmano, the Laird of Balmedie, the Laird of Pitlochie, the Laird of Balhoufie, the Lairds of Cultmalundie, of Williamftoun, of Woodend, of Gask, of Kinkell, younger of Maquene, of Auchtertyrie, of Glenegleſe; Barons of Achyell elder and younger, Olyphant of Bauchtelltoun, Sir George Johnftoun, Sir John Erskine of Balgoune, Archibald Mercer in Culros, James Chrichtoun in Wefteraldie, William Houtoun of Bellilisk, Robert Arnot Proveft of Perth, John Conquerer Thefaurer there; Andrew Grant, John Elder Clerk, Bailies there: With power to any five of them to be a Quorum, and that the Quorum have power to fit be-eaft Tay, betwixt Tay and Earne, or be-weft the Water of Earne, for the better difpatch of the Affairs of the fhire, with fick cautions and limitations as the Eftates fhall think meet, and that the faid Quorum fit diftinctly in the faid places, as neceffitie fhall require.

ITEM, For the Sheriffdome of Air, John Earle of Loudoun Lord Chancellour, Earle of Eglintoun, Earle of Glencairne, Earle of Caffils, Lord Cathcart, Lord Barganie, Lairds of Cuninghamheid, Blair, Kilburnie, Rowallands, Gaitgirth, Coudoun, Corsbie, Collen, Greimet Mac-kilvein, Kirkmichels, Penkil, Balloch, Keers, Corfcleys, Kildonand younger, Gilbert Kennedie in Danger, Adam Whitefoord, Fergus Maccubine, M. Hugh Cathcart, Galftoun younger, Barre, Guildmidfcroft younger, Kingancleuche, Carnell younger, Parke, Privike, Cefnok, Staire, John Kennedie Proveft of Air, M. Robert Barclay, Faile, Crafurdland, Corfell younger, Baidland, Dullape, Ralftoun, Kerfland, Heiflot, James Blair Proveft of Irving, Adam Ritchie Bailie of Air, 7. Quorum, and Cuninghamheid to bee Conveener.

ITEM, For the Sheriffdom of Kincardin, William Earle Marfhal, the Vifcount of Arbuthnet, Sir Alexander Falconer of Halcartoun, Sir Alexander Carnegie of Pittarro, Alexander Straitoun of Laureftoun, Sir Robert Grames elder and younger of Morphie, Sir Gilbert Ramfay of Balmaine, David Ramfay younger of Balmaine, William Reate of Halgrein, Burnet younger of Leyes, M. David Falconer of Glenfarquher, James Douglas of Steanipeth, Patrick Falconer of Newtoun, Robert Keith of Whiterigs, Patrick Levingftoun of over Benholme, Robert Douglas of Brigfuird, John Barclay of Johnftoun, Alexander Keith of Kirktonhill, M. Alexander Burnet of Cregmyle, M. Alexander Wood of nether Benholme, Andro Straiton of Greenleyes, Arthur Straiton of Snatone, James Ardes Tutor of Ardes, Reate of Kincaufie, Lord Frafer, or Mafter of Frafer, L. Thornton younger, L. Balbigno, L. Leflie elder, 7. the Quorum, and to be Conveener for the firft time.

ITEM, For the Sheriffdom of Bamff, James Earle of Finlater, Walter Ogilvie of Boynd, Sir Alexander Abercrombie of Birkinboig, Alexander Ogilvie of Knock, Walter Ogilvie of Reidhyth, James Ogilvie of Ragvell, James Baird of Auchmeden, Robert Wilfon of Brackenhills, William Lawtie in Myrehoufe, Thomas Abercrombie of Skeith, George Ogilvie of Halyeards, George Lawtie in Tocheneill, Alexander Wenchefter Baylie of Bamff, 5. the Quorum, and the Earle of Findlater to be conveener for the firft time.

ITEM, For the Sheriffdome of Selkirk for Forreſt, Francis Earle of Bacleugh, Sir John Murray of Philiphauch, Sir William Scot of Hardin younger, Walter Scot of Whiteſlaid, James Pringle of Torretlie, Colonel Walter Scot of Hartwoodburn, Francis Scot of Sintoun, William Scot of Mangertoun, Thomas Scot of Todrig, James Scot of Gallaſheils, Robert Scot of Hartwoodmyres, Andro Ker of Sunderlandhall, Patrick Scot of Thirlſtaine, William Scot of Tiſchalaw, Robert Scot of Bowhill, Robert Scot of Braidmiddaes, Archbald Scot of Midleſteid, Archbald Eliot of Philip, James Murray of Deucharre, Thomas Scot Burgeſſe of Selkirk, 7. the Quorum, and Conveener for the firſt time.

ITEM, For the Sheriffdome of Drumfreis, and ſtewartrie of Annandale, Gawin Earle of Carnweth, the Laird of Lag, William Douglas of Kelhead, Maſter George Douglas of Pynerie, Sir John Greirſon, Robert Kirkpatrick of Closburne, John Crichtoun of Crawfurdſton, Robert Fergusson of Craigdarroche, Thomas Fergusson of Caitloche, John Lowrie of Maxweltoun, John Wilſon of Crogleme, James Greirſon of Dalgonner, James Kirkho younger of Sunday-well, John Dalrumple of Waterſide, Archbald Johnſtoun of Lauchrie, John Douglas of Stenhouſe, Andro Cunninghame of Snaid. For Annandale, The Laird of Apilgirth, James Douglas of Mouſſell, Archbald Douglas of Dromock, John Johnſtoun of Wamphray, Francis Scot of Cairtertoun, Matthew Wilſon in Greinhill, William Jardan of Balgrey, James Steill in Breirihill, William Irwing of Cleucheid. For Drumfreis, John Irwing Proveſt Conveener, John Johnſtoun Bailie, William Phareis Bailie, John Copland Bailie, John Cunninghame late Bailie, 7. the Quorum, and the Conveener for the firſt time.

ITEM, For the Sheriffdome of Edinburgh principall, Francis Earle of Bacleuch, Earle of Hadington, Earle of Lowthian, Earle of Lauderdale, Earle of Dalhouſie, Lord Borthwick, Lord Ros, Lord Balmerino, Lord Forreſter, M. of Balmerino, Sir Archbald Johnſtoun of Wariſtoun, Sir James Foules of Colintoun, Sir James Dundas of Arneiſtoun, Sir John Cowper of Gogar, Sir Patrick Hamiltoun of Preſton, Sir William Scot of Clerkingtoun, Sir William Nisbit of Dean, Sir John Wachob of Niddrie, Sir William Dick of Braid, M. George Winrame of Libbertoun, Inglis of Ingliſtoun, Gilbert Kirkwood of Pilrig, George Foules of Ravilſtoun, M. Adam Cunninghame of Woodhall, M. John Inglis of Cramond, John Niccolſon of Poltoun, Mark Cas of Cockpen, James Boyd of Temple, James Murray, Dobie of Stonihill, William Fairley of Brunsfield, William Douglas of Gogar, Simmervell of Drum, M. William Little of Libertoun, M. Laurence Scot of Beavelaw, M. James Scot of Bonnitoun, William Murray of Hermeiſtoun, M. Samuel Johnſtoun, David Mackullo, the Laird of Riccartoun, the Laird of Craigmiller, Alexander Hay of Revelrig, John Gibſon of Haddiſtoun, Patrick Eleis of Southſide, Sir John Hope of Craighall, Hay of Muntain, Andro Hammiltoun of Redhall younger, Thomas Kinkaid of Wariſtoun, James Ruchhead, James Stewart, John Pierſon, Laurence Henderſon Bailies of Edinburgh, M. John Skeine, Thomas Paterſon, 9. Quorum, and to be Conveener for the firſt time.

ITEM, For the Sheriffedome of Fyfe, and Burghs within that Shire, Sir Alexander Gibſon of Durie Lord Regiſter, Scottiſcraig, Lundie elder or younger, Arnot elder or younger, Creich, Rireſſe, Inſchderni, Forthir elder or younger, Cambo, Craighall, Fairnie elder or younger, Balmuill, Denmuire, Sir James Halkheid, Denmylne or his ſon, Bogy, Kirknes, Randefurde, Ardrois, Nachtoun younger, S. Monanee, Aredrie elder or younger, Lathreiſh younger, Cullairny, Sir James Scot of Tarvet, Sir John Erskine, Fingask, Auchmuty, Ballo, Cleiſh, Sir Henry Wartlaw, Sir John Carſtairs, Tilliboll, Rankilor Macgill younger, Earlſhall, Balfoure elder or younger, Sir George Hammiltoun, Barnes, Halyards, Canuchie, M. Alex. Colvil, Roſſie, Pitmillie, Kirkforther, Kingask, Randerſtoun, Balcommie younger, Sir James Melvill. For the Burghs, S. Andrews, Cowper, Craill and Kilrinnie, Dumfermline and Innerkeithing, Kirkaldy and Dyſert, Anſtruther Eaſtern and Weſtern, Pittinweim, Bruntiland and Kinghorn. For S. Andrews, John Lepar Proveſt, or James Robertſon younger Bailie. For Cowper, George Jameſon, or David Robertſon elder. For Kirkaldie, Robert White, or John Colliar. For Dyſert David Simſon. For Anſtruther Eaſtern, Captain Alexander, or John Alexander Bailie. For Anſtruther Weſtern, Andro Richardſon. For Pittinweim, Walter or James Airths. For Crail, Andro Daw. For Bruntiland, George Gardine, or Thomas Gourlay. For Dumfermline, James Reid or Peter Walker. For Kinghorne, James Robertſon, or William Key. For Innerkeithing, Mark Kinglaſie, or Andro Dickſon. For Kilrinnie, Andro Howiſon, John Earle of Crawfurd-Lindſay, Charles Earle of Dumfermling, William Earle of Dalhouſie, John Earle of Weemes, Lord Elcho, Robert Lord Burghley, Alexander Lord Balcarras. 9. the Quorum.

ITEM, For the Sheriffedome of Lanerk, William Earle of Lanerk, the Earle of Carnwath, Sir William Bailie of Lamington, Sir James Lockhart of Ley, Sir William Carmichaell, Sir William Lokhart, Gawen Hammiltoun of Raploch, Robert Hammiltoun of Torrence, John Hammiltoun of

Gilkerſcleugh, James Windrame of Wouſtoun, Alexander Meinzies of Culterallers, John Hammiltoun of Wodſtoun, James Hammiltoun of Halcraig, James Cunninghame of Bonitoun, George Lockhart of Tarbrax, James Cunninghame of Coblehauch, George Weir of Harwood, Robert [Denham of Weſtſheal], William Bailie of Hardingtoun, William Hammiltoun of Dalferf, Quintine Hammiltoun of Barncleuch, Robert Bailie of Jerriſtoun, James Hammiltoun of Boigs, William Hammiltoun of Mains, the Bailies of Lanerk, Lord Angus, Lord Barganie, M. John Carmichael, M. John Cheiſlie. Seven the Quorum. The Proveſt and Bailies of Glaſgow, Theſe of the upper Ward to be divided from theſe of the nether Ward except where it concerns the whole Shire, and then they to meet all together at Lanerk or Hammiltoun.

ITEM, For the Sheriffdom of Renfrew, Alexander Earle of Eglintoun, the Earle of Glencairne, the Laird of Houſtoun, the Laird of New-wark, the Laird of Craigance, the Laird of Fulwood, the Laird of Cowdoun, the Laird of Kilbirnie, the Laird of Barrochane, the Goodman of Duchell, the Goodman of Caldwell, the Laird of Ralſtoun, M. James Montgomerie of Weitlands, Robert Hall of Fulbare, William Muire of Glannerſtoun, John Sprewl Proveſt of Renfrew. Seven the Quorum, and and to be Conveener for the firſt time.

ITEM, For the Stuartrie of Kirkcudbright, The Vicount of Kenmure, the Lord Kirkcudbright, Urchartoun, Balmaghie, Bargertoun, Cairltoun, Calie, Earleſtoun and his ſon M. William Gordoun, Caſſincarie, Barcaple, the Laird of Haircleuch, Thomas Macklellan of Coline, John Stuart of Schambellie, Thomas Roome of Irngray, Robert Gordoun of Knokbrax, Alexander Gordoun of Knokgray, William Glendoning Proveſt of Kircudbright, John Carſan Bailie thereof, Brown of Cerſluith, Robert Gordoun of Robertoun, Sir Patrick Mackie of Larg, Colonell Stuart, John Gordoun of Culreoch. Seven the Quorum, and to bee Conveener for the firſt time.

ITEM, For the Sheriffedome of Linlithgow, James Earle of Calender, William Earle of Lanerk, the Lord Levingſtoun, the Lord Bargenie, George Dundas of that ilk, Walter Dundas younger of that ilk, George Dundas of Dudiſtoun, Sir Robert Drumond of Meidhop, John Cornwall of Bonhard, M. George Dundas of Maner, Sir Joſeph Dowglas of Pompherſtoun, Sir Walter Murray of Levingſtoun, John Hammiltoun of Boighall, Andrew Hammiltoun younger of Ridhall, Alexander Hammiltoun of Binnie, M. John Bruce of Wrea, William Bruce of Kincavill, M. David Hay of Woodcockdaill, Sir William Dick of Bread, Francis Durhame of Dintervie, David Dundas of Philipſtoun, M. James Eaſtoun, Alexander Maxwell of Dechmonth, Alexander Crawfurd Merchant Burgeſſe in Linlithgow, James Dawlein in Queensferry, Alexander Hammiltoun of Parkley, M. James Whythead of Park. Seven to be the Quorum, and to be Conveener for the firſt time.

ITEM, For the Sheriffdome of Aberdene, William Earle Marſhall, James Vicount of Frendraught, Lord Fraſer Maſter of Forbes, Sir William Forbes of Cragivar, Arthur Forbes of Echt, James Skene of that ilk, Thomas Johnſtoun of Craig, Francis Fraſer of Kinmwndie, Gilbert Skene of Dyce, Thomas Forbes of Watertoun, John Kennedie of Kirmuckis, John Forbes of Aſlowne, Thomas Erskin of Pittodrie, Sir William Forbes of Monymusk, William Forbes younger of Corſinday, Alexander Strauchan of Glenkindie, Alexander Fraſer of Phillorth, Duncan Forbes of Camphell, William Forbes younger of Leſlie, Arthur Forbes of Invernochtie, George Leſlie, younger of Kincragie, John Forbes of Knockquhairne, John Leyth of Whythauch, John Forbes of Ardmurdo, James Forbes of Cloak, William Dalgarno of Garneiſtoun, Sir Alexander Abercrombie of Birkinboig, Sir William Keith younger of Ludquharne, Alexander Forbes Tutor of Pitſligo, Thomas Fraſer of Streichen, Walter Forbes of Tolquhen, John Forbes of Bythe, John Keith of Clakreach, Patrick Leſlie ſometime Proveſt of Aberdene, M. Robert Farquhar late Proveſt there, Alexander Jaffray and M. William Moir Bailies thereof, and Walter Cochrane late Deane of Guild of the ſaid Burgh, and nine promiſcuouſly to be the Quorum.

TO the which Committees of War of the ſeveral Shires reſpectivè above-mentioned and Quorums thereof reſpectivè foreſaids, The ſaids Eſtates of Parliament Do hereby Renew and grant the ſame Commiſſion, Power, and warrand, contained in the Printed Act of the foreſaid Convention of Eſtates, dated 26 of Auguſt 1643 yeers, To the ends and with the ſame Liberties and Proviſions therein ſpecified, and conform to the Tenor thereof in all points: And ordains the foreſaids Committees of War of the ſeverall Shires reſpectivè before rehearſed To meet and conveene with all conveniencie, And appoints theſe perſons abovenamed of the ſeverall Committees abovewritten, who are Commiſſioners for the ſaids Shires to this preſent Seſſion of Parliament, To be Conveeners of the foreſaids Committes for the firſt meetings thereof, and to preſeid in the ſaids ſeverall Committees at the ſame firſt meetings thereof, With power thereafter to the ſaids ſeveral Committees, or Quorums thereof reſpectivè before rehearſed, To nominate and chuſe their own ſeverall Conveeners to preſeid at their meetings as they ſhall finde expedient; Reſervand power nevertheleſſe

hereof, to the Committee of Eſtates of Parliament or their Quorum, To alter and change the foreſaids Committees of War, or any of the perſons abovenamed, nominate to be upon the ſaids Committee, As the Committee of Eſtates or Quorum thereof ſhall think fit or finde expedient. And farther, the Eſtates of Parliament Remits to the Committee of Eſtates the ſettling of Committees of War in the remanent ſeveral Shires of the Kingdom, by the particular Shires abovewritten for whom Committees of Warre are hereby appointed, in maner before-rehearſed.

ACT diſcharging the Printing of any thing concerning Religion or the Kirk without Licence.

41 THE Eſtates of Parliament preſently conveened, in the Fifth Seſſion of this firſt Triennall Parliament, Underſtanding from the Generall Aſſembly the great abuſe of Printing and Publiſhing Books, Letters, and other Papers concerning Religion and the Kirk without Licence; Therefore for Remeid thereof, Inhibites and diſcharges all and every one to preſume hereafter to Print or Reprint any Declarations, Proteſtations, Covenants, Confeſſions, Letters, Acts, or any thing iſſuing from Kirk Judicatories, or any Books, Treatiſes, Hiſtories, Sermons, Commentaries, Diſputes, or other Papers whatſomever treating of Religion, or any point of Religion, in Doctrine, Worſhip, or Diſcipline; Or concerning the Kirk, the Officers, Government, or condition of affaires thereof, without ſpeciall Licence and Priviledge of the Generall Aſſembly or their Commiſſioners, or ſuch as ſhall have power from them; And that under the pain of Confiſcation of the ſaids Books and other papers printed without Licence aforeſaid; and of the Preſſes, Types, and other moveable goods whatſomever belonging to the Printers thereof; The one halfe whereof ſhall belong to the Kirk, to be made uſe of and imployed upon pious uſes; Beſide any further perſonal puniſhment of the ſaids Printers that the Lords of Secret Councell or the Committees of Parliament or Convention ſhall think fit to inflict. And the ſaids Eſtates Ordains Magiſtrates of Burghs where Printers dwell, upon Information from the Generall Aſſembly; their Commiſſioners, or others having power from them, to arreſt, take, and apprehend the ſaids Printers, contraveeners of this Act, with the Books and other Papers aforeſaid, to be preſented to the Lords of Counſell, or Committees of Parliament, or Convention, to Underly the Law for the ſaid offence, that after tryall thereof, the ſaids Books and Papers, and all the other goods aforementioned may be confiſcate, in maner aforeſaid, and the offenders further puniſhed at the diſcretion of the ſaids Judges.

ACT prorogating the Commiſſion for the Exchequer.

THE Eſtates of Parliament now conveened, in 42
the fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration That the Commiſſion for the Exchequer did become void by the meeting of the Eſtates in this Seſſion of Parliament, And herewith alſo conſidering how neceſſary it is that the ſaid Commiſſion be renewed, for the good and diſpatch of the Lieges; They do hereby renew and prorogate the former Commiſſion for the Exchequer granted by the Eſtates of Parliament to the perſons therein mentioned in the ſecond Seſſion of this firſt Triennall Parliament, of the date the firſt day of February 1645 yeers; And ordains the ſame to ſtand in full force, ſtrength, and effect, conform to the tenor thereof in all points, While the next Seſſion of this Parliament, and longer ay and while the ſame be diſcharged by the Parliament or Committee of Parliament; And in the mean time ordains ſick of the perſons contained in the ſaid former Commiſsion as are under ſuſpition, to forbear the exercing of their charge therein while they be cleared of the ſame ſuſpition.

ACT againſt keeping Faires upon Monday and Saterday.

THE Eſtates of Parliament now conveened, in 43
the fifth Seſsion of this firſt Triennall Parliament, Conſidering that the prophanation of the Sabbath is occaſioned by keeping Fairs upon Saterday and Monday, as it was by keeping weekly Markets upon theſe dayes, Do therefore inhibit and diſcharge all Burghs and Towns To keep Fairs upon Monday and Saterday, under the pains contained in the Act paſt in Parliament in June 1640 againſt keeping weekly Markets on theſe dayes; Which Act The Eſtates do hereby extend againſt keeping of Fairs upon theſe dayes, in the whole tenor and effect thereof.

ACT anent non-Covenanting Patrones.

THE Eſtates of Parliament now conveened, in 44
the fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration the ninth Act of his Majeſties ſecond Parliament, in the yeer 1641. anent non-Covenanting Patrones, and other non-Covenanters therein mentioned, Think it very reaſonable that the ſame be extended in manner following; And therefore declare, That *Presbyteries* ſhall not onely have right proprio jure, to plant and provide all and ſundry Kirks of the Patronages belonging to any perſon that have not

ſubſcribed the Nationall Covenant, but alſo all Kirks of the Patronages belonging to any perſon that hath not ſubſcribed the League and Covenant of the three Kingdoms, or that is, or ſhall be Excommunicate, And that from the time of the publike enjoying the Covenant by the Kirk, and of pronouncing the ſentence of Excommunication, ay and while they ſubſcribe the ſaids Covenants, and be relaxed from Excommunication reſpective. And it is alſo declared and ordained, That all Kirks of the Patronages belonging to any perſon that is, or ſhall be forfaulted for whatſoever cauſe, be provided and planted hereafter by Preſbyteries within whoſe bounds they lye, and that the right of planting thereof ſhall belong to Preſbyteries pleno & proprio jure in time coming; Declaring alſo hereby, that the planting and providing of all and ſundry the Kirks above-mentioned, ſhall alwayes be according to the Propoſitions of Ordination of Miniſters agreed upon by the Aſſemblies of both Churches, and ratified by the Parliament of this Kingdom. And further, The Eſtates extends the Act of Parliament above-mentioned, againſt the refuſers of the League and Covenant of the three Kingdoms, and Excommunicate perſons, in the whole tenor and effect thereof; Ordaining the ſame to be as effectuall in all points againſt them as againſt the refuſers of the Nationall Covenant therein expreſſed.

ACT for founding Schools in every Pariſh.

45 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Conſidering how prejudiciall the want of Schools in many congregations hath been, and how beneficiall the founding thereof in every congregation will be to this Kirk and Kingdom; Do therefore Statute and Ordain, That there be a Schoole founded, and a Schoole maſter appointed in every Pariſh (not already provided) by advice of the Presbyterie: And to this purpoſe, that the Heritors in every congregation meet among themſelves, and provide a commodious houſe for a Schoole, and modifie a ſtipend to the Schoole maſter, which ſhall not be under Ane hundred Merks, nor above Tua hundred Merks, to be paid yeerly at two Terms: And to this effect that they ſet down a ſtent upon every ones Rent of ſtock and teind in the Pariſh, proportionally to the worth thereof, for maintenance of the Schoole, and payment of the Schoole maſters ſtipend; Which ſtipend is declared to be due to the Schoole maſters by and attour the caſualities which formerly belonged to Readers and Clerks of Kirk Seſſions. And if the Heritors ſhall not conveene, or being conveened ſhall not agree amongſt themſelves, Then, and in that caſe the Presbyterie ſhall nominate twelve honeſt men within the bounds of the Presbyterie, who ſhall have power to eſtabliſh a Schoole, modifie a ſtipend for the Schoole maſter, with the latitude before expreſſed, and ſet down a ſtent for payment thereof upon the Heritors, which ſhall be as valide and effectuall as if the ſame had been done by the Heritors themſelves. And becauſe the proportions impoſed will be very ſmall, Therefore for the better and more ready payment thereof: It is further ordained, That if two Termes proportions run in the third unpaid, Then theſe that ſo faile in payment ſhall be lyable in the double of their proportions then reſting, and in the double of every Termes proportion that ſhall be reſting thereafter, ay and while the Schoole maſter be compleatly paid, and that without any defalcation: And that Letters of Horning and all other Executorials neceſſary be directed, at the inſtance of the Schoole maſter, for payment of the double of the proportions, in manner foreſaid: Diſcharging hereby any Suſpenſion to paſſe againſt the Schoole maſters without conſignation. And it is declared, that Life-renters during their life time ſhall be lyable in payment of the proportion impoſed upon the Lands Life-rented, and execution in the manner before expreſſed, ſhall paſſe againſt them for that effect: And the Heritors ſhall be alwayes free of the ſame during the Life-renters life time. And if any perſons findes themſelves wronged by the inequality of the proportions impoſed, It ſhall be lawfull for them to ſeek redreſſe thereof before the Lords of Secret Councell or Seſſion, within yeer and day after the impoſing of the ſtent, and no otherwayes.

ACT diſcharging Lyke-wakes.

THE Eſtates of Parliament now conveened, in the 46
fifth Seſſion of this firſt Triennall Parliament, Conſidering the great abuſe of Lyke-wakes, Do therefore Inhibite and Diſcharge all perſons of whatſoever quality, To have Lyke-wakes hereafter, and that under the pain of Twenty punds Scots to be paid by the contraveener toties quoties to the Kirk Seſsion for pious uſes: And ordains thir fines and penalties to be uplifted conform to the Act made at Pearth anent the uplifting of pecuniall paines.

ACT diſcharging the Printing of Bookes, Chronicles, or Libels without Licence.

THE Eſtates of Parliament now conveened, in the 47
fifth Seſſion of this firſt Triennall Parliament, Having heard and conſidered the Act of the Committee of Eſtates of the 29 of November 1644. Whereof the Tenour follows:

THE Committee of Eſtates taking into their conſideration the prejudice that doth enſue through the uncontrolled liberty that Printers take to themſelves

to Print and Publiſh Books and Papers at their pleaſure without any Warrant; And that in all well-governed kingdoms it is expreſly prohibite that any Subject take upon hand to Print or Publiſh any Books, of whatſomever Diſcipline or Science, but ſpecially Libels, or Chronicles concerning the ſtate of the Kingdom or ages paſt, without Warrant or allowance for that effect: Therefore the Committee of Eſtates, according to the practice of the Convention of Eſtates in former times, Statutes and Ordains, That no perſons, of whatſomever ranke, degree, or calling, take upon hand to Print, Publiſh, or ſet out any manner of Book, Libell, Hiſtory, or other Paper: As alſo that no Book being Printed out of the Kingdom be brought in and ſold within the ſame, while they be firſt ſeen and Reviſed by his Majeſties Secretary; Certifying them that do in the contrary, they ſhall forfeit their ſaids Books and Papers, and their whole other moveable goods; and ſhall be further puniſhed, at the diſcretion of the Councell or Committee of Eſtates. And this Act to endure till the next Seſſion of Parliament, and to be without prejudice of the Act of the Generall Aſſembly anent Printing, or any order to be given by the publike Judicatories of the Kingdom.

THE ſaids Eſtates renews the foreſaid Act, and do hereby Statute and ordain, That no Act, Libell, or any manner of Book, Hiſtory, or other Papers concerning the Eſtate of this Kingdom, Be Printed, or brought in and ſold, without advice and Licence of ſome of the ſupreame Judicatories within this Kingdome, or Secretary thereof: Without prejudice alwayes of the Act of Parliament of the date of thir preſents made in favours of the Commiſsioners of the Kirk: And alſo but prejudice to the Clerk of Regiſter his power for Printing of the Acts of Parliament.

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ACT in favores of James Steuart & James Hāmiltoun

48 AT SANCTANDROIS the ſecund day of feb^r The ȝeir of god J^m vj^c^ fourtie ſax ȝeiris The eſtates of Parlia^t^ now conveined in the fyft ſeſſioun of this Trienniall Parlia^t^ Having hard and conſidered the report of that cōmittie appointed by them for reviſeing and fitting of the accomptes of James ſtuart baillie of Ed^r^ and James Hāmiltoun of Boiges with the Inſtruc^o^nes and verifica^o^nes therof They find that the ſaides James ſtuart and James hāmiltoun hes furniſhed and delyvered the full number and quantities of victuall that they did vndertake to furniſh for the vſe of the Scottis army in Ireland q^r^of ſome ſmall propor^o^ne was Imployed for the forces w^t^in this kingdome And that the furniſhing and delyverie therof is inſtructed be the reſſaittis of the Cōmiſſaris and þ^r^ deputt^is^ except only a reſſaitt of Thrie hundreth fourtie ſax bollis meill wch they ar to inſtruct more cleirlie And alſe findes be the forſaid report that their haill advance of victuall and money w^t^ þ^r^ reſſaittes of ſuch money as they have gottin pey^t^ of being compared Ther remaines dew and owing to the ſaid^is^ James ſtuart and James hāmiltoun be the Publict The ſowme of ffyve hundreth ffoureſcoir ſeivin thouſand nyne hundreth Tuentie Tua merk^is^ Tenne ſhillinges aucht pennies Scottis money Conforme to the report ſub^t^ be thes perſones vpoun the foreſaid Cōmittie Q^lk^ ſowme of fyve hundreth foureſcore ſewin thouſand nyne hundreth Tuentie tua merk^is^ 10 ß 8 đ The ſaides eſtates of Parlia^t^ findes and declares To be ane publict debt dew be the eſtates of the kingdome to the ſaidis James ſtuart and James Hāmiltoun And doe heirby obliege the eſtates of the kingdome for pey^t^ of the foreſaid ſowme to the ſaidis James ſtuart and James Hāmiltoun with ārent therfor till the pey^t^ of the ſamine And for their further ſecuritie The eſtates ratifies and approves the former actes preceptes and warrandes granted to them be the Eſtates of Parliāt or þ^r^ Cōmitties ſa farre as the ſamine concernes or may be extendit for þ^r^ pey^t^ and ſecuritie of the foreſaid ſowme abovewrīn and ārent þ^r^of And becaus the foreſaid haill ſowme cannot now be gottin peyit in reſpect of the neceſſities of mantaining the armies and ſupplieing of vther^is^ the Publict^is^ credito^r^^is^ ȝit the Eſtates of Parliāt for preſerving the ſaidis James ſtuart and James hāmiltoun and their cautioner^is^ and credito^r^^is^ fra ruine Ordaines the equall half of the forſaid ſowme of Fyve hundreth ffoureſcore ſewin Thouſand nyne hundreth Tuentie Tua m̄k^is^ 10 ß 8 đ dew to them to be peyit to them equallie betuixt them And for this effect appoyntes them to be peyed þ^r^of out of the haill fynes and forfalto^r^^is^ of Sir Johne dalȝell / Samuel Drūmond / and the Lard Jo^n^ſtoun and out of the Superplus of the penaltie of ane hundreth Thouſand pund^is^ Scottis incurred be the erle of Hartfell and his cau^t^^is^ for contraveining the act for his guid behavior / ſa farre as that ane hundreth Thouſand pund^is^ is not aſſigned and decernit to be peyit to the erle of Lanark and his regiment and out of any farther fine or forfalto^r^ if ony beis againſt the erle of Hartfell / and what they ſall not reſave by thes fynes or forfalto^r^^is^ Ordaines them to be peyed therof out of ſuch borrowit moneyis as is alreadie deceerned to be lent for the vſe of the publict and not ȝit peyed and out of ſuch moneyis as ſall be decerned to be lent for the vſe forſaid be any perſones of q^l^ſoevir qualitie w^t^in the ſhires of Lanerke / Air / Renfrew / Drumfriſe and Galloway But prejudice alwayes to the aſſ^n^a^o^ne formerlie granted to Robt Gordoun and Johne ferguſone burgeſſ^is^ of Aire for pey^t^ of the ſowmes dew to them be the Publict out of the borrowit moneyes of the foreſaides ſchires or any of them wch is declared to be vnprejudged heirby

And for the ſaides James ſtuart and James hāmiltoun their farther aſſurance of the pey^t of the half of thair haill ſowme abovementionat p̃tlie ordained to be peyit to them as ſaid is The ſaides Eſtates be thir p̃ſ^t aſſignes and diſpones To the ſaidis James ſtuart and James Hāmiltoun equallie betuixt them The forſ^d^e pticular fynes and forfalto^r^e above mentionat w^t the ſuperplus of the penaltie of ane hundreth thouſand pund^e abovewr̃in (by fick therof as is aſſigned and decerned to the erle of Lanrk and his regiment) Togither w^t the foreſaid borrowit moneyis w^r̃in the fyve ſhires above deſigned but prejudice vt ſupra With power to them To perſew for and vplift the ſamine fynes forefalto^r^e penaltie and borrowit mōeyis / and to give diſcharges theirvpoun q^ll^ they be compleitlie peyed of the equall half of the forſ^d^ ſowme abovewr̃in addebtit to them And to give diſcharges vpoun the reſaittes / quhilk the Eſtates declares to be alſe ſufficient to the reſaver^e as if the ſamine wer granted be the parliāt cōmittie of parliāt or be the Generall Cōmiſſ^r^ and his deputtes And alſe the ſaides eſtates doe heirby recōmend To the cōmittie for the moneyes To aſſigne the ſ^d^e James ſtuart and James Hāmiltoun equallie betuixt them To ane fyne equivalent in quantitie & qualitie for the Laird of keir^e fyne And ordaines the ſamine to be peyed to them equallie betuixt them Sieing his fyne was formerlie deſtinat To have beene aſſigned / but is vtherwayes diſpoſed vpoun be the Eſtates

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III FEBRUARII.

COMMISSION anent the Loſſes.

49 FORSAMEIKLE as the Committee appointed by the Eſtates of Parliament, Taking to their ſerious conſideration the great and many loſſes and skaith occaſioned by the crueltie and barbaritie of the Rebels, and the late troubles of the Kingdome; And they being willing and readie that there be ane uniform way throw the whole Kingdom for tryal of the loſſes both by Sea and Land, that after the exact tryall thereof courſe may be taken for their reparation; And for the [better] effectuating and expeding of the ſame, The ſaids Eſtates having found it neceſſarie and expedient that there be ane particular Committee appointed for the effect above ſpecified, And therefore the ſaids Eſtates by their Act having given power and Commiſſion to the ſaid Committee to direct forth Commiſſions for tryall of the loſſes within the Kingdom by Sea and Land, and waſte and burnt Lands, and who are altogether diſabled to pay rent, either by the Enemie or our own forces during this Seſſion of Parliament, and thereafter to the Committee that ſhall be appointed for that effect, to particular Shires, Burghs, or perſons, as they ſhall be required, that the ſame being tried it may be reported to the ſaid Committee, that courſe may be accordingly taken for their reparation: as likewiſe to receive all reports by vertue of Commiſſions already granted, or by whatſomever Commiſſions hereafter to be granted; And for the better clearing of the way of tryall, Have found that the partie grieved or complaning may prove by ſufficient witneſſes, that he had in his poſſeſſion immediatly before the Enemy came to his ground or houſe, ſuch goods and geir as he condiſcends upon in his complaint, And that the Enemy being there, they were taken away and deſtroyed by the Enemy, and were never ſeen thereafter in theſe places: And for the infight and houſhold pleniſhing, and whatſoever other goods or others were in the complainers houſe, that the ſervants of the complainers be examined upon oath as witneſſes thereanent, as ane adminacle of the probation; And in ſupplement of all the probation, the parties complainers to give their oaths, that to their beſt knowledge all theſe goods were taken and deſtroyed by the Enemy, aſwell theſe on the ground as theſe within the houſe; And that this maner of probation be extended likewiſe to theſe goods and loſſes by Sea, which ſhall be entered by the parties owners, or others having power to give up entries to ſhips and goods, uſing the manner and way before preſcribed as accords, leaving latitude after the report of the probation foreſaid to the Committee to be appointed for that effect, according to the vote thereanent; And the Committee foreſaid being informed that

have ſuffered great loſſes by burning their houſes and corn, away taking of their goods and geir, waſting of their lands, and by their other loſſes occaſioned by the preſent troubles: And the ſaid Committee being Petitioned to grant ane Commiſſion for the tryall thereof, The Lords and others of the Committee foreſaid, Do hereby give Warrand, Power, and Commiſſion, To

or any of them, the Quorum being promiſcuous, To take and receive the tryall and probation of their loſſes, in maner before preſcribed; With power to the Commiſſioners or their Quorum to chuſe a Clerk and other Officers and members of Court needfull, and to take their Oaths de fideli adminiſtratione; And to direct their owne precepts for Citation of witneſſes and other parties who are intereſt and concerned in the buſineſſe, And to amerciate the abſents being charged, perſonallie apprehended, in

money for ilk diets abſence: And that they take the oaths of the witneſſes and the parties who ſhall be preſent, and whoſe depoſitions ſhall be admitted by them, and to doe every thing for tryall of the ſaids parties loſſes, the cauſe thereof, and the perſons by whom the ſame was done, obſerving the order before preſcribed: which manner of tryall is found by the Eſtates of Parliament to be allowed

in this caſe (with reſervation alwayes of the modification to the Judge of what ſhall not be legally proven by writ or witneſſes) notwithſtanding the parties committers of the wrongs are not cited thereto: And this tryall being taken in manner foreſaid, Ordains the ſeverall parties loſſes, the quantities thereof, the cauſe and occaſion of the ſamen, with the parties owne cariage and deſervings, to be ſubſcribed by the ſaids Commiſſioners their Quorum, and to report the ſame to the Committee appointed by the Parliament for that effect, that they may take ſuch courſe therewith as accords, and cauſe regiſtrat the ſame in the regiſter appointed for that effect by the Clerk of Regiſter, and to be regiſtrat by Maſter Andro Baird Clerk Depute for keeping of the ſame regiſter by the Clerk of Regiſter. And the Eſtates declares, That the Commiſſion abovementioned is but prejudice of the former Acts of Commiſſion iſſued out of before for tryall of the ſaids loſſes by the Parliament or Committee of Eſtates.

COMMISSION for the Moneys, Exciſe, and Proceſſe againſt Malignants and Delinquents.

50 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Trienniall Parliament, Taking to their ſerious conſideration how neceſſary it is for the good of the Kingdome, and for the right and more orderly regulating of the matter of Moneys and publike Accompts, debts and burdens thereof, and for bringing in of Moneys and other Proviſion, and diſtributing of the ſamine for maintenance and entertainment of the Armies and Gariſons within the Kingdome, That a ſelect Committee be nominate, authorized, and appointed by them for that effect: Therefore, The ſaids Eſtates of Parliament hereby nominates, authorizes, and appoints the perſons following, viz. William Earle Marſhall, John Earle of Caſſils, James Earle of Tullibardin, James Earle of Findlater Vicount of Arbuthnot, Robert Lord Burghley, and James Lord Cowper for the Noblemen. Sir John Hope of Craighall Knight, ane of the Lords of Seſſion [Sir John] Weims of Bogie, Sir William Cochrane of Cowdane, Sir William Forbes of Craigivar, M. George Dundas of Maner, [Arthoure] Forbes of Echt, and Arbuthnot of Findowry for the Barons. James Stuart Bailie Merchant Burgeſſe of Edinburgh, George Gardyne Merchant Burgeſſe of Bruntiland, Alexander Jaffray Merchant Burgeſſe of Aberdene, George Jameſon Proveſt of Cowper, M. James Campbell Burgeſſe of Dumbartan, James Pedie Burgeſſe of Monroſe, and Robert Lokhart Merchant Burgeſſe of Edinburgh, and Sir Adam Hepburne of Humbie Theſaurer of the Armie.
To whom or Quorums reſpectivè after mentioned; The Eſtates of Parliament grants hereby full power and Commiſſion, To proſecute the wayes and meanes already layed down, for bringing in of Moneys for the uſe and entertainment of the Armies and Gariſons within this kingdom. And for this effect, The Eſtates prorogates the power for borrowing of Moneys for the uſe foreſaid, to the next Seſſion of this preſent Parliament; And hereby Reſtricts the power of the foreſaid Committee and Quorum thereof, anent the borrowing of Money in time coming, during the ſaid ſpace to be [reuled] and limited as followeth, viz. That they ſhall not borrow from any perſon any ſum above that which the Committee or Quorum thereof ſhall find to be the halfe of ane years free Rent, pertaining to that perſon fra whom the Money is to be borrowed, nor above the twenty part of the ſtock in Money or Moveables, or both, which the Committee or Quorum foreſaid ſhall finde to bee the ſtock of that perſon, or perſons from whom the Money is to bee borrowed. 2. That there ſhall bee no borrowing from any who have alreadie lent and is not repayed. 3. That theſe to whom any conſiderable ſum of Money is addebted by the publike, ſhall not bee troubled with lending of Money to the publike. 4. That theſe who are actually imployed in the ſervice of the ſeverall Armies, ſhall not be troubled with lending of Money to the publike for the uſe aforeſaid. 5. That theſe whoſe eſtate ſhall not be found by the Committee or Quorum thereof to bee in Land Rent, or otherwayes worth five hundreth Merks Scots yearly of free Rent; As alſo theſe whoſe ſtock in Money, or Moveable Goods, ſhall not bee found worth five thouſand Merks Scots, Shall not bee troubled nor urged to lend Moneys for the uſe of the publike. And the Eſtates recommends to the foreſaid Committe and Quorum thereof, To have a ſpeciall regard in the borrowing of Money for the cauſe abovеſpecified, in manner before preſcribed, To the affection and former cariage of the perſons or parties fra whom it is to be borrowed, and to their ſufferings, their burden, and way of living, and what charge of children they have: And ordaines the ſaid Committee and their Quorum, To have a ſpeciall care for the diſpatch of all perſons and parties that ſhall bee conveened, or cited before them for lending of Moneys, That they be not delayed after their appearance for obedience of the citation given to them for lending of Money: And that none be cited to the effect aforeſaid, but by warrand paſt in præſentia of the Committe or Quorum thereof: As alſo the Eſtates grants power to the Committee or Quorum thereof, to call for payment of all byrun ſums alreadie decerned to be lent and not yet payed, and to grant and ſubſcribe publike acts and ſecurities for any ſums alreadie decerned, or to bee decerned to bee lent for the uſe of the publike in manner before preſcribed; Which Acts and Securities to be granted and ſubſcribed by the ſaid Committee or their Quorum reſpectivè: The

Eſtates declares to be valide and ſufficient to the receivers for repayment of the ſums to bee lent by them. And ſicklike, The ſaids Eſtates do hereby nominate and appoint the perſons abovenamed, To be Commiſſioners for the Exciſe, And grants power and warrand to them or their Quorum foreſaid, or ſick of their number as they ſhall ſubſtitute and appoint, To governe the office of Exciſe, And appoint Collectors, Surveyers, and other under Officers, and ſet down ſuch Acts and Ordinances as ſhall be neceſſary and expedient for the ſpeedy uplifting and ingathering of the ſaid Exciſe, and to doe every other thing neceſſary and requiſite for that effect, conforme to the Act of Parliament in July 1644. concerning the Commiſſion and Ratification anent the foreſaid Exciſe, and according to the Act of Parliament made the laſt of January 1645. anent the ſaid Exciſe and collecting thereof; And to proſecute the wayes and acts already ſet down anent the ſaid Exciſe, as they ſhall think fit. And likewiſe, The ſaids Eſtates by thir preſents, doe give power to the Committee or Quorum thereof, To try, examine, proceſſe, and ſentence, or to iſſue out Summonds or Commiſſions for all juſt and legall tryall, conforme to the Laws and practiſe of the Kingdome, againſt all Malignants, except ſick as the Committee of Eſtates and this Committee with mutuall conſent of the Quorums of both at the leaſt, ſhall finde fit to proceſſe to death; With power likewiſe to the Committee or Quorum thereof, to impoſe fines upon the ſaids Malignants, conform to their ſeverall degrees or Claſſes of Delinquencie, according to the rules and appointment of the Act of Parliament made thereanent in this preſent Seſſion of Parliament; And likewiſe with power to the Committee or their Quorum, to ſet, intake, or ſell the Delinquents Lands or Moveables, and to uplift the ſums of Money due to theſe who are forefaulted or ſhall be forefaulted, and who are fined or ſhall be fined, and pays not the ſame; And to doe all other things contained in the Act of Parliament of this preſent Seſſion, made anent reall and perſonall execution; With power to the Committe or their Quorum, upon the ſupplication of any Delinquents, after payment of three parts of his fine, To mitigate the fourth part thereof, where the annualrent of his debt exceeds the third part of his Rent, conforme to that article of the Act of Claſſes ſet downe thereanent: As alſo with power to impriſon any accuſed for Delinquencie, and to liberate them out of priſon if the Committee or their Quorum ſhall finde them not to be guiltie, and to give warrand to Officers for Tranſporting of thoſe who are in priſon from one priſon to another; With power likewiſe to the Committee or Quorum, to fill the places vacand of ſuch Delinquents as are in Places and Offices within this Kingdome, and ſhall be found to loſe the ſamine conforme to the Act of Claſſes; With power in like manner to the Committee or their Quorum, to give order and warrand to the haill Officers, To Muſter the forces of the Kingdome, as the ſaid Committee or Quorum foreſaid ſhall think fit, That equal payment may be made to Officers and Souldiers: And als grants power to the ſaid Committee or their Quorum, to conveen and purſue thoſe who have bought or reſet plundered goods, And after tryall, to doe as they ſhall think fit; With power alſo to the Committee or Quorum foreſaid, to compone in groſſe, for the Exciſe of Tobacco bygone and to come; With power to the ſaid Committee or Quorum thereof, to provide for the ſubſiſtance of laimed Souldiers in the publick ſervice, neceſſitous perſons, widows and children, whoſe fathers and husbands were killed in the ſervice of the publike: And the Eſtates Ordaines and Appoints the ſaid Committee or their Quorum, To adviſe with the Committee of Eſtates what further perſonall puniſhment ſhall be inflicted, by confinement, baniſhment, or impriſonment, after payment of the fines in manner preſcribed in the Act of Claſſes; And in like manner, With power to the Committee or their Quorum, To aſſiſt the Collector Generall, in calling in the Monethlie Maintenance impoſed upon the ſeverall Shires and Burghs of this Kingdome for maintenance of the Armies, conform to the Act paſt in this preſent Seſſion of Parliament, concerning the ſaid Maintenance; And to call in the Accompts of the Rents, Sums, Goods, and others belonging to all Malignants and forefaulted perſons, Together with all other Accompts concerning the publike, and to cloſe, allow, controll, or diſallow thereof, as they ſhall find the ſame juſt and reaſonable, and to give Commiſſions for uplifting and intrometting therewith, and to take ſecuritie for the ſamine; And with power to them to examine and recall all Commiſſions formerly granted, for uplifting and intrometting with any of the ſaids Rents, Sums, Goods, and others aforeſaid, ſuch as the Committee or Quorum thereof ſhall think fitting, except the Commiſſion or Factorie granted to the Marques of Argyle, of the Lands and Barrony of Mugdock, and others therein contained; And ſicklike, excepting the Commiſſion granted to Sir William Forbes of Cragivar, ay and while he be liberate or ſatisfied of ſick ſums as hee hes given band for, by vertue thereof: As alſo, ay and while he bee ſatisfied of ſick ſums, as are reſtand owand to himſelf, and which he ſhall inſtruct to the Commiſſioners or their Quorum, to be clearly owand to him, with the Commiſſions granted to the Earles of Marſhall and Findlater, and others Commiſſions granted in this Seſſion of Parliament; And in like manner, with power to the Committee or their Quorum, To call for Payment and Compt of all Reſpondies and debts, addebted and due by any perſon whatſomever to the publike; With power alſo to the Committee or their Quorum, To conveene before them any perſons who hes beene deficient in any publike dues, And after cleare tryall and probation thereof, To

uplift and exact from theſe perſons, the penalties contained in the Acts of Parliament, convention of Eſtates, or their Committees: But prejudice of the Act made in this Seſſion of Parliament, In favours of the Officers of the Armies, anent the exacting of the penalties againſt the reſetters of Runaways by the Officers; With power likewiſe to the Committee or their Quorum, To finde and declare what Lands are burnt and waſted, either by the Enemie, or by the forces of the Kingdome, or the Plague, and ſo ſhould be free of Maintenance: And to conſider, grant and diſcuſſe the reaſons of ſuſpenſion, anent the payment of the Maintenance upon inſtructed Compts of Quarterings, or other reaſons expreſſed in the Act of Maintenance, and to receive in the reports of waſte and burnt Lands, and other loſſes by Sea or Land, And to conſider who are utterly ruined by the Enemie, and ſtands in need of Maintenance for their preſent ſubſiſtance, and with the Maintenance of the Armies; To diſtribute to thoſe out of the remainder of the publike dues, or by diſpoſing ſome part of forefaulted Lands, what ſhall bee thought neceſſary for their ſubſiſtance: And ſiclike with power to the ſaid Committee or Quorum thereof, To grant and direct ſuch orders, letters, and execution, as ſhall be neceſſary for inbringing of the ſaids Moneys, Compts, Reſpondies, Rents, and others goods foreſaid belonging to the publike, and to pronounce Decreits and Sentences thereanent, and cauſe put the ſame to execution, and to reduce the haill Debts and Compts of the Kingdome, in ſuch order as the burdens of the publick may be known. And for the better clearing of the ſaids publike Accompts and Debts of the Kingdome; With power to the forenamed perſons or their Quorum foreſaid, to call for inſpection of the Regiſters, Records, and Warrands of Parliament, and of all other Committees; To the effect that all Compts, Acts, Bands, Reſts, and Reſpondies may be exactlie extracted foorth thereof, and the perſons lyable therein may bee made Comptable for the ſame. Likeas, The ſaids Eſtates of Parliament hereby commits & entruſts to the foreſaid Committee, The ſole and only power of diſpoſing and diſtributing of all Moneys, which ſhall come in and be due to the publike, Together with the whole Rents and Dueties of Lands, Sums of Money, Moveables, and others belonging to Malignants and forefaulted Perſons, with all fines and pryces of forefaulted Lands, and others whatſomever pertaining to the publike, and to imploy the ſame in the firſt place for the maintenance and intertainment of the Armies within the Kingdome, and ſubſiſtance of theſe who ſhall bee found utterly ruined in manner after mentioned: And for that effect grants to them the ſole and onely power, to give out and ſubſcribe precepts for the pay and maintenance of the Armies, and ſatisfying any perſons of ſick ſums as are or ſhall be appointed by Parliament or Committee of Parliament, for taking or killing of any perſon in the rebellion: And for intelligence, poſts, buying of Armes, Ammunition, the traine of Artillierie, Carriages, and ſuch other preſſing and urging affaires, as concernes the outreak, expedition, and maintenance of the Armies allanerlie: And Ordaines every precept to be ſubſcribed by a full Quorum of the ſaid Committee at the leaſt, Which perſons ſubſcribers thereof, ſhall be anſwerable to the Parliament, That they ſubſcribe no precepts, but for the cauſes foreſaids, Till the affaires and maintenance of the Armies bee firſt diſpatched and ſatisfied (except where there is aſſignements for ane Moneths pay to the Regiments that come from England; And if the ſamine fail, with power to the ſaid Committee, to make the ſame otherways up, and where the aſſignements exceeds ane Moneths pay that the ſuperplus accreſſe to the Eſtate) wherein if the ſaid Committee contraveene and failzie; The ſaids Eſtates of Parliament hereby declares and ordaines the ſubſcribers of the ſaids precepts, To be lyable in payment to the publike of all ſuch ſums, for the which they ſhall draw precepts for any other cauſe, till firſt the affaires and maintenance of the Armies be ſatisfied; With power to the ſaid Committee in the next place, To diſpoſe and grant precepts upon borrowed Moneys and Exciſe Moneys for other neceſſary uſes, The Armie being firſt payed & entertained: Excepting alwayes the particulars contained in the Act of Parliament, which are ordained to be payed out of the Exciſe, als well to Burgh as Land; And ordaines the ſaid Committee frequently to conſider the eſtate of the publike caſhe, and what Moneys are therein fra time to time, and to draw no precepts but when there is Money in the caſhe to ſatisfie and anſwere the ſame. Likeas, The ſaids Eſtates ordaines the foreſaid Committee in their diſtributions, and ordering of the payment of the Moneys for the Armies, To diſtribute the ſame equally, and to take ſuch conſtant courſe as all Regiments of Foot and Horſe, be put and keeped in equalitie, either in Money, Provant, or Proviſion, according to their ſtrength and Muſter Rolls, being Muſtered as is provided in the Act of Maintenance. And to the effect that both Officers and Souldiers of the Armies may know their own proportion due to them, for all Moneys to be payed to them; It is ordained, That all precepts to bee direct by the ſaid Committee for that effect ſhall bear in cumulo, what proportion of the haill ſums contained in the precept, is allowed to be payed to the Officers, and what proportion thereof to the Souldiers of the Regiment, Troup, or Company, for which the ſaids precepts are granted: And where matters of difficultie or importance ſhall occure, The ſaids Eſtates of Parliament ordaines the Committee of Eſtates, To give their adviſe to the foreſaid Committee hereby appointed, as they ſhall neceſſarilie deſire the ſame: And the ſaids Eſtates Ordaines, that the Clerk to bee appointed

by the Clerk Regiſter for this Commiſsion, ſhall have the truſt and keeping of the reſpondie Books, and of all the Accompts, Inſtructions, and Warrands thereof which concerns the publike; And if any of the ſaids Commiſſioners places ſhall happen to vake by deceaſe, or otherwayes, The reſt of the Quorum of the ſaid Committee, with advice of the Committee of Eſtates, ſhall have power to make choice of others of that ſame degree, to ſupplie the vaking places one or more; Which Commiſſioners abovenamed ſhall at their firſt meeting accept this Commiſſion, and give their ſolemne oaths for the faithfull diſcharge of that truſt hereby committed to them, And ſhall have power to fine ſuch of their number as ſhall not give diligent attendance, and which Commiſſioners ſhall bee anſwerable to the Parliament for their proceedings, fidelitie, and attendance in this Commiſſion, which is to endure to the next Seſſion of Parliament: And becauſe it will bee expedient for the better eaſe of the Lieges be North Tay, That there be a ſelect number of the foreſaids perſons Commiſſioners abovenamed, appointed for the ordering and regulating of the matter of Money, Exciſe, and publike Accompts, and for inbringing of the Moneys, Exciſe, Rents, Fines, Goods, and others belonging to, & payable by all Malignants, foreſaulted Perſons, and others within the Sheriffedomes of Forfar, Mearns, Aberdene, Bamf, Murray, Nairne, Innernes, Cromartie, Sutherland, Caithnes, and Orkney, both to Burgh and Land, for theſe Shires, and for diſpoſing and diſtributing thereof, for the ends, and to the effect in manner before preſcribed: Therefore, The ſaids Eſtates of Parliament nominats and appoints William Earle Marſhall, James Earle of Findlater, Vicount of Arthbuthnot, Sir William Forbes of Cragivar, Arthur Forbes of Echt, Arbuthnot of Findowrie, Alexander Jaffray Burgeſſe of Aberdene, James Pedie Burgeſſe of Monroſe, and Robert Lockhart Burgeſſe of Edinburgh, Or any five of them to reſide at or any other places within the foreſaids Shires, as they or their Quorum ſhall think moſt convenient for the good of the ſervice within the ſaids bounds of the foreſaids particular Shires abovementioned, both to Burgh and Land: And the Eſtates doe hereby grant to this ſelect Committee or their Quorum foreſaid the like power, within the bounds foreſaid, as is before contained and ſet downe in this Commiſſion abovewritten, in manner before rehearſed in all points; And ordaines and appoints the remanent Commiſſioners abovenamed, Or any ſeven of them as ane Quorum, To be upon this Commiſſion for the haill remanent Shires and partes of the Kingdome, both to Burgh and Land, by the foreſaid Shires of Forfar, Mearnes, Aberdene, Bamf, Murray, Nairn, Innernes, Cromartie, Sutherland, Caithnes, and Orkney, appointed to the foreſaid ſelect Committee for the North, And to reſide at Edinburgh or any other place they ſhall think moſt convenient, and conduceable for the good of the ſervice: And in reſpect that the foreſaids two Committees abovementioned, are in effect both but one Committee for ane and the ſame cauſe; The ſaids Eſtates of Parliament ordaines both the ſaids Commtttees to keepe correſpondence one with another, and what the Committee of Eſtates ſhall require for carrying on of the Warre and Maintenance of the Armies, They ſhall doe therein as they will bee anſwerable to the Parliament, upon the truſt committed to them by their Commiſsion: But the Eſtates of Parliament declares, That neither the foreſaids two Committees ſhall have power to invert or diſpoſe upon the Fines, Rents, Foreſaulters, Goods, or Moneys allotted for the entertainment of the Armie, to any other uſe whatſomever; And declares the Commiſsion abovewritten, to bee but prejudice to Sir William Dick, James Stuart, and James Hammiltoun of Boigs, anent their aſſignations of Borrowed Money formerly granted to them, They accepting Deputations or Precepts from the Generall Commiſſar, for uplifting of the Money contained in their aſsignations, and giving Bands to be comptable to him; But prejudice of their aſsignations as ſaid is. And it is declared that theſe of the Committee of the North being in the South, ſhall have power to ſit with the Committee there, As als theſe in the Committee of the South being in the North, To ſit in the Committee there.

COMMISSION to the Committee of Eſtates.

FORSAMEIKLE as the Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration how neceſſary it is, That a grave Committee of Eſtates ſhould bee nominate and authorized by this preſent Parliament, for ordering and governing of this Kingdome and affaires thereof, during the not ſitting of the Parliament: They doe therefore nominate, appoint, and authoriſe, Alexander Earle of Eglintoun, William Earle of Glencairne, Charles Earle of Dumfermling, Francis Earle of Bucleuch, William Earle of Lowthian, John Earle of Weims, William Earle of Dalhouſie, William Earle of Lanerk, John Lord Hay of Yeſter, Thomas Lord Kirkcudbright, Alexander Lord Balcarras, and John Lord Barganie for the Noblemen. John Earle of Lowdoun High Chancellour of Scotland, Alexander Earle of Leven Lord Generall, John Earle of Crawfurd-Lindſay Preſident of the Parliament, and James Earle of Calender Lord Lieutenant Generall, ſupernumerarie in this Commiſſion for the Noblemen. David Beatoun of Creich, Sir James Foules of Collingtoun, James Mackdowell of Garthland, Sir Thomas Ruthven of Frieland, Sir John Hammiltoun of Beill, 51

Sir James Lockhart of Ley, Sir David Hume of Wedderburne, Sir Hugh Campbell of Ceſnok, M. Alexander Belſhes of Toftes, Sir Gilbert Ramſay of Balmaine, Patrick Maxwell of Teilling, and Sir Thomas Ker of Cavers for the Barrons. Sir Alexander Gibſon of Durie Knight Clerk Regiſter, and Sir Adam Hepburn of Humbie Theſaurer of the Armies, as ſupernumerarie for the Barrons. Sir William Dick of Braid Burgeſſe of Edinburgh, Archbald Sidſerf Burgeſſe there, Robert Arnot Proveſt of Pearth, M. Alexander Wedderburn Clerk of Dundee, M. Robert Ferquhar Burgeſſe of Aberdene, Thomas Bruce Burgeſſe of Stirling, George Porterfield Proveſt of Glaſgow, John Kennedie Proveſt of Air, John Johnſtoun Burgeſſe of Drumfreis, William Glendoning Proveſt of Kirkcudbright, John Auchterlonie Burgeſſe of Aberbrothick, and M. Robert Cunninghame Burgeſſe of Kinghorne for the Burrows, and John Lepar Proveſt of S. Andrews ſupernumerarie for the Burrows. As alſo, The Eſtates nominates, appoints, and authoriſes theſe Noblemen, Barrons, and Burrows, who are in the Commiſſion for England, To be likewiſe upon this Commiſſion with the remanent perſons of the ſeveral Eſtates abovenamed; To whom, or any nine of the whole Commiſſioners above deſigned, there being two of every Eſtate as ane Quorum: The ſaids Eſtates of Parliament Renews, and hereby grants the ſame Power, Commiſſion, and Warrand, In all Points, Heads, Clauſes, and conditions contained in the former Commiſſions granted by the Parliament to the Committee of Eſtates, in the firſt and ſecond Seſsions of this firſt Triennall Parliament, viz. In the Act of Commiſſion of the Committee of Eſtates, the twentie ſixth of July 1644. and the eighth of March 1645. reſpective, & conform to the tennors of the ſamine Acts, in every head and Article thereof; Excepting only therefra the power and warrand contained in that Commiſsion, granted by the Eſtates in this preſent Seſsion of Parliament of the date hereof, to the perſons therin nominat, concerning the inbringing & diſtributing of Moneys, the office of Exciſe, the fining of Delinquents, the loſſes of the Kingdom, & the regulating of the publike accompts & burdens therof, conform to the Comiſſion granted hereanent; which is hereby reſerved in the full force and power thereof, to the perſons, and for the ends thereinſpecified, unprejudged hereby: And becauſe it is neceſſary that there bee ane Committee appointed to attend the Scottiſh Armie in England, and another to attend the Scottiſh Army in Ireland; Therefore the Eſtates of Parliament do hereby nominate and appoint Charles Earle of Dumfermling, William Earle of Lowthian, Alexander Lord Balcarras, Sir David Hume of Wedderburne, Sir Thomas Ruthven of Frieland, Sir Thomas Ker of Cavers, William Glendoning Proveſt of Kirkcudbright, John Johnſtoun Burgeſſe of Drumfreis, and John Auchterlony Burgeſſe of Aberbrothock, To be ane Committee to attend the foreſaid Armie in England, and appoints the Quorum thereof to be promiſcuous, three of the haill: As alſo nominates and appoints William Earle of Glencairne, Thomas Lord Kirkcudbright, Generall Major Monro, James Mackdowell of Garthland, Patrick Maxwell of Newwark, George Porterfield Proveſt of Glaſgow, and John Kennedie Proveſt of Air, To be an Committe to be with the Scots Army in Ireland; And the Eſtates appoints the Quorum of that Committe to be promiſcuous, viz. any three of the hail of that Committe: And likewiſe grants power to the Committee of Eſtates or Quorum thereof, to appoint ſome of their own number, or others as they ſhall think fit, as ane Committee to attend the Armie in Scotland if they ſhall finde it neceſſar, and to appoint the Quorum thereof, and give to them ſick power and inſtruction as they ſhall finde requiſite and expedient; With power likewiſe to the ſaid Committee of Eſtates or Quorum thereof, To give inſtructions to the ſaids Committees appointed for the Scots Armies in England and Ireland, as the ſaid Committee or Quorum ſhall think expedient.

ITEM, The Eſtates of Parliament appoints and ordaines, That ſeven of every Eſtate of the Committee of Eſtates abovenamed, ſhall conſtantly reſide in Scotland for the ordering of the affaires thereof, and the Quorum to be nine as ſaid is, two being of every Eſtate: As alſo ordaines the Quorum of the ſaids Commiſſioners at the Parliament of England for Scotland to bee promiſcuous, viz. three of the haill number, conſiſting of four Noblemen, three Barrons, and three Burrows, contained in the Commiſsion formerly granted: Which the Eſtates hereby Ratifies, And Ordaines theſe Commiſsioners and the others upon the Committees appointed for the Scots Armies in England and Ireland, and every ane of them to have place and voice in this Committee of Eſtates, as they ſhall happen to bee preſent; With power alſo to the ſaid Committee of Eſtates or Quorum thereof, or any other whom they ſhall appoint, To treate with ſuch of the Rebells as they ſhall think fit for reclaiming them to their due obedience: And for that effect, To give full Pardon, Remiſsion, and Diſcharge to ſuch as they ſhall think fitting, who are now in the rebellion and will quit the ſame, and live in time comming as becometh dutifull and loyall Subjects, of all deeds done by them in the ſaid rebellion or in relation thereto; And to reſtore and repone them to the poſſeſsion of their Lands or Titles of Honour, not diſponed or conferred before their reclaiming, and to give full aſſurance that the Parliament ſhall at their next Seſsion reſcind all Decreets or Sentences given againſt them, whereby they are excluded from their Honours and Dignities, and grant to them

ane Act of oblivion; As alſo with power to the ſaid Committee or Quorum foreſaid, To doe everie thing concerning the governing and ordering of the Affaires of the Kingdome, and anent the forefaulting and proceſsing to death of Delinquents, as the ſaid Committee or their Quorum foreſaid ſhall finde expedient and moſt uſefull for the good and benefit of the publick, in the ſame manner, and with the ſame power and authority, as the Parliament might doe if they were ſitting: But prejudice alwayes of the foreſaid Commiſsion for the Moneys, which is heereby reſerved ut ſupra, The ſaid Committee of Eſtates being anſwerable to the Parliament for their proceedings. And farther, The Eſtates declares, That the haill general Officers of the Armies are hereby priviledged to be preſent in the foreſaid Committee, as they ſhall have occaſion: And Ordaines this Commiſsion to endure to the next Seſsion of Parliament.

ACT anent the charges allowed to theſe upon the Committees of Eſtate, and for the Moneys.

52 FORSAMEIKLE as the Eſtates of Parliament, Taking to their conſideration, That the perſons nominate by them To be upon the Committee of Eſtates, for ordering and governing of this Kingdom and affairs thereof, And thoſe others appointed by them for inbringing and diſtributing of Moneys, and regulating the Compts of the common burdens of the Kingdome, Will be ſubject to attendance for diſcharge of the truſt reſpectivè, thereby committed to them, To their prejudice in their own private affaires and buſineſſe: Therefore the Eſtates of Parliament, Grants the allowance following to the ſaids Commiſſioners for their attendance upon every one of the ſaids two ſeverall Committees above ſpecified, the time of their ſederunts in the ſaid ſervice, viz. To ilk Nobleman Monethly, three hundreth merks Scots. Ilk Barron Monethly, two hundreth merks Scots. And to ilk Commiſſioner for Burrows, ane hundreth thirtie three merks, foure ſhillings, foure pennies Scots Monethly, for their charges in attendance upon the ſaids Committes during the time of their attendance and ſederunts thereintill: And ficklike, the ſaids Eſtates allowes to thoſe that are upon the Committee for the Armie in England, and upon the Committee for the Armie in Ireland, and who ſhall attend the ſamine Committes reſpectivè, The ſum of thirtie ſhillings Sterling for ilk Nobleman. Twenty ſhillings Sterling for ilk Barron. And thirteen ſhillings four pence Sterling for ilk Burrow that are to be upon the ſaids Committees reſpectivè, for their charges and expenſes ilk day of their attendance in England or Ireland; And ordaines this allowance foreſaid, to be compted up to thoſe Officers of the Army that are upon thir Committees in their Monethly pay as ane part thereof: And ficklike, The ſaids Eſtates Grants the like allowance to theſe Commiſſioners that were upon the former Commiſſion for the Moneys for their bygone attendance in that Commiſſion, according to their ſederunts, as is hereby granted to the Commiſſioners that are either upon the Committee of Eſtates, or Committee for the Moneys. And further, the Eſtates of Parliament conſidering that William Thomſon Depute to the Theſaurer of the Armie, and others his Deputes will have often occaſion in reſpect of their charge, to bee preſent with the foreſaids Committees of Eſtates, and for the Moneys; Therefore the Eſtates declares, that they are hereby priviledged to have acceſſe to the foreſaids Committees, and to be preſent, as they have occaſion at every ane of the ſaids Commitees abovementioned.

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INSTRUCTIONS from the Parliat of Scotland to their Coñr℄ at London

WHEREAS the honble Houſes of Parliament demand the removeall of the Scottiſh forces out of the townes and Castles of Carlile / Newcastle / Tinmouth Hartlepoole / Stocktoun Warkworth and Thirlewall or elſewhere within the kingdome of England wher ther be any gariſons placed by the Scottiſh army without conſent of both houſes of parliament or their Cōmittees befor the firſt of March nixt. Yow shall repeat the anſwers made to this demaund in the Treaty with the Coñr℄ of the Parliat of England at St Andrews / and make vſe of the Inſtructions ſent to yow from the Cōmitties of Estates from Glasgow and of any other anſwers or arguments which can proceed from your owne knowledge & Judgment adhering to the former grounds 53

YOW ſhall ſhew that theſe gariſons ar ſo abſolutly neceſsar for Magazines of victuall / armes & amunition / and to be places of retreat to the Scottiſh army / as they cannot be ſecured and inabled for promoting the ſervice / and advancing ſouth without them

THAT it is vſuall for all armies who doe ingage in the warre or ſervice of another kingdome / to have ſuch gariſons for their ſafeguard & ſecurity. And theſe Gariſons being taken by our Army from the enemy and ſtill in their poſſeſsion / with conſent of the Houſes of Parliat. And they being moſt neceſsary for the Armies accomodation / & better carying on of the warre (wch both kingdomes ar obliged to promote according to the Covenant / Treaty and declaration of both) / and the Gariſons being a part of the Scottiſh Army (who by the Treaty ar to be diſpoſed of by the direction & adviſe of the Cōmittee of both kingdomes for carying

on of the warre) cannot be removed out of the Garisons without consent of both / And wher ther is no direction from a Joynt Cõmittee of both / the Generall and Cõmander in cheife of the Army / must doe that wch to his best knowledge & Judgment is best for promoting the warre & safety of the Army / wch he cannot doe / vnles he garrisone some places for retreat [safetie and magazines and the whole places now garrisoned by ws wer recovered] from the enemy. And therfor yow shall still persist that the houses of parliament would be pleased that Scottish Garisons remaine in these places so long as our army remaines in England in pursuance of the warre

YOW shall shew that wee ar content to give any reasonable security for restitution of these Garisons so soone as by a prosperous warre or a happy peace Religion shall be setled and our troubles brocht to an happy end And þt compt & payt be made of qt is duly owing to ws by the Houses of parliat þt or Army may returne into Scotland If yow find that the delyverie of the other Garisons wch ar garisoned by the Scotts Army (except Berwick / Carleill / Newcastle & Tinmouth) may satisfie the houses of parliat And that they be content we retaine Berwick / Carleill / Newcastle & Tinmouth / yow shall offer the same to testify how desirous we ar to comply with the desire of the houses of Parliat so farr as can be with preservation of the Army / and as may consist with the promoting of the warre. By granting qtof ther is no garison in effect given to the Scottish Army for a place of Magazine / retreat and safety / but New Castle and Tinmouth / In respect that by the large Treaty Berwick and Carleill ar appointed to be slighted / and the fortifications demolished

IF nothing give satisfaction to the Houses of parliat / but that they still persist to have their Garisons presently restored Then yow shall desire that they may be pleased to setle religion / and make a speedy & Just peace / that Scotland may be free of the calamities & dangers brought vpon ws by our engadging in this warre with England / And that they would secure & pay the soumes of money they ar Justly owing ws / vpon performanee wherof these Garisons shall Imediatly þeftir be restored

YOW shall perve the papers sent to yow from ws conteining some grounds of an answer to the paper of þe Houses of Parliament in answer to yor former papers of the 29. and 30. of Septemb and of the third of october. And becaus yow who ar in the place can best discerne what may be the best expresion & most conduceable and seasonable for promoting the worke / for setling religion and peace / and preserving vnion betuixt the kingdomes / We remitt to your Judgement and discretion the framing of this answer and adding to the groundś / and reasons conteined in the paper sent to yow / and smoothing the expresions therof / as yow conceave best for the busines

YOW shall vpon the grounds of the preceiding Instructions / and as in yor Judgment yow think most expedient / make an answer to that part of the paper or declaration of the Houses of parliat / wch they have returned in answer to the three severall papers from yow of the 29. and 30. of Septemb / and 3. of october so farr as concernes the Northerne Garisons exprest in the former paper according to the preceiding Instructions

YOW shall likewise (vpon the groundś exprest in yor former papers and out of the former Instructions / and these now sent vnto yow) make a Reply to what is expresed in the afoirsd paper of the Houses of Parliãt concerning Religon and the setling of Church government / and propositions of peace to be sent to his Matie.

CONCERNING the Kings letters of the 5. and 15th dayes of december craving a safe conduct for sending propositions to be a foundation of a safe & well grounded peace / and the answer to be returned therevnto / And whither a positive answer shall be sought to the propositions that should be sent without any treaty / or that a Treaty be had therevpon; We doe approve of your Answers and proceedings therein.

YOW shall shew that it is our earnest desire that the present opportunities (when both King and Parliament profese their desires of peace) may be embraced and emproved to the best advantage / and least so seasonable a time (wch is very precious) be lost / And for eviting the dangers wch ar well exprest in the papers of the 22. of December given in by yow to the Houses of parliat / And least the King should take advantage / or the people be stumbled with the inconstancy of our resolutions in altering the former propositions / wch (vpon so mature deliberation of the parliat of both kingdomes) were agreed vpon to be necesary foundations of a well grounded peace with his Matie / and of a firme vnion betuixt the Kingdomes / yow shall desire that the propositions of peace formerly agreed vnto by the parliãt of both kingdomes (the most materiall qtof have been treated & debated vpon at Wxbridge) may without delay be sent vnto his Matie and his answers sought thervnto without further Treaty

IF the Houses of Parliament shall make materiall alterations of the former propositions / or adde new ones / yow shall shew that it cannot be expected / that we can either agree to the matter of them befor we know and ponder them nor can resolve vpon the manner of sending of them till the matter be agreed vpon: And therfor to eschew the lose of time / and that ther be no retardment to the procuring of a happy peace / we desire that the former propositions agreed vpon by the Parliament of both kingdomes / especially these 3 propositions / for set-

ling Religion / the Militia and Ireland formerly debated at Wxbridge / may be ſent vnto his Matie / and his anſwer ſought thervnto. And that the remainder of the former propoſitions / with ſuch propoſitions as ſhall be made by his Matie / may be treated vpon in ſuch manner / as his Matie / the Houſes of Parliament and yow ſhall think fitt.

YOW ſhall endeavour that ther be no alterations made of the former propoſitions / especially of the 17. proposition concerning the Militia formerly agreed vnto by both Parliaments / as the best and ſureſt way for conſervation of a durable peace and vnity betuixt the king and his kingdomes and of each kingdome with other / And wch was ſent from the Parlia^t of England vnto the parlia^t of Scotland / as a ground and obligation of amity and mutuall confidence.

IF the Houſes of Parlia^t ſhall reſolve abſolutely to alter the 17. propoſition / or ſhall make any materiall alterations in or additions to the former propoſitions / Then yow ſhall ſhew that it is our Judgment / that the Militia of both Kingdomes ſhould be ſetled by the king / with the adviſe of the Parliament of both kingdomes reẍiue as may be best for the ſecurity of both / againſt all inteſtine Inſurrection and forraine invaſion. For wee doe conceave that the diſpoſing of the Militia / for the preſervation of the kingdome / & protection of the ſubjects / is ſo proper and eſsentiall part of the Kings duty / and of the excerciſe of his Just royall power (wch wee ar bound by our alledgance & covenant / not to diminiſh) as it ought not to be done without him if he be willing to doe it / with adviſe of his parliament. And we do conceave that this difference may be ſo tranſacted / by condeſcending vpon ſuch Commiſsioners as ar acceptable both to King and Parliament / or that the king have the nomination / and the parliament the approbation / or in ſome ſuch other way / as it needs not be a hinderance to a Just peace. But if the parliament can be perſuaded that the propoſitions for ſetling the Militia formerly agreed vpon by both parliaments ſhall ſtand / It is beſt of all and moſt to be deſired.

YOW ſhall endeavour ſo far as poſsibly yow can / to preſerve a right vnderſtanding & vnion betuixt the tuo Kingdomes / & betuixt their Armyes and Cõmittees / And ſhew that it is our earnest deſire / that the Councells and forces of both kingdomes may be always joyned againſt all inteſtine Inſurrection & forraine Invaſion / and in every thing wch may ſerve for the good of both / and promote the ends of our cõmon league & Covenant.

YOW ſhall ſhew that it is our earnest deſire / that the propoſitions for ſetling Religion & Church government / be agreed vnto / and eſtabliſhed in the firſt place / as was reſolved vpon in the treaty at Wxbridge.

CONCERNING Ireland and the Scottiſh Army there / It is deſired that the articles treated and agreed vpon by Committees of both kingdomes in Scotland & England and ratefied by both parliaments (wch wer alſo acknowledged by both to be a Treaty / and inſerted in the propoſitions of peace and debated at Wxbridge) be inſisted vpon and obſerved.

THAT vpon the grounds exprest in the papers and demands given in by yow / in behalf of the church & kingdome of Scotland / yow ſhall inſist for ſpeedy ſetling of Religion and a well grounded peace

THAT religion & church government (wch is our cheiſe deſire and hathe bene the principall cauſe of all our vndertakings & ſufferings) beeing eſtabliſhed / you ſhall by all laufull and poſsible meanes / endeavour a Just & equall peace / that thir kingdomes lying vnder the preſsures & calamities of warres / may be quyet and at reſt

IF the King shall grant the propoſitions for religion & Church government / yow ſhall apply your moſt ſerious endeavours to procure agreement betuixt his Matie and the houſes of Parliament in matteris civill wherin there may be a greater latitude without ſin / then in matters of Religion wherin the glory of god is moſt concerned. And if his Matie ſhall grant the propoſitions for religion and Church government / and ſhall grant ſuch propoſitions in things civill / as may be a foundation of a juſt and firme peace (although he doe not in everie thing come to the lenth of our deſires exprest in the propoſitions of both kingdomes) we conceave that peace should not be refuſed / and ſo deſtructive and vnnaturall warris continued.

THAT a joynt way by the Councell & forces of both kingdomes for better carying on of the warre / or procuring of peace according to the covenant Treaty and declaration of both kingdomes Is the beſt way for both and that wch wee moſt earneſtly deſire to be obſerved.

IF the Houſes of parlia^t ſhall alter the 17. proposition concerning the Militia / or make any materiall alterations of the former propoſitions or adde new ones / Then yow ſhall make the demands following / and manage them in the most dexterous way ye can for the good and interest of this kingdome

THAT the advantages wch the kingdome of England hath by his Ma / royall preſence and continuall reſidence with them / and the loſses and prejudice / wch Scotland ſuſtaines by his Ma / abſence / ar ſo many and great / as cannot be condignely recompenſed by any retribution equivalent to ſo great a benefit as England enjoyes / and as Scotland is depryved off Therfor ſince (by the good providence

of God) both Nations are on one yland ſpeake one and the ſame language / profeſse one and the ſame religion / and ar vnited vnder the ſame head and Monarch / yow shall demand in behalf of the kingdome of Scotland / That in all places of trust and offices about the king Queen & prince / the equal halfe (at leaſt the thrid part) / be Scottiſhmen.

THAT in the Councell of England and Ireland a third part be ſcottiſmen / and ſo reciprocally for England in the Councell of Scotland.

THAT a capacity be declared for all Scottiſhmen to exerce any place of trust or office within the kingdome of England or Ireland / & ſo for England & Ireland in Scotland

THAT naturalization & the priviledge of poſt nati ſince K. James went into England / togither with all other freedoms & priviledges of the natives of England & Ireland / for all times to come / be declared to pertaine to Scottiſhmen / and ſo reciprocally for England within Scotland.

THAT the freedome / priviledge and benefit of cõmerce and trade within England & Ireland / be cõmunicated to Scottiſhmen / and ſo reciprocally for England & Ireland within Scotland.

THAT the freedom of all the Seaports / Cuſtomes & Iñunities wch is due to the Engliſh within England & Ireland / Be cõmunicated to the Scotts / and ſo reciprocally to the Engliſh within Scotland.

THAT all cõmodities whatſoever may be freely exported and imported by ſea and land from the one kingdome to the other as is from one county to another [or from one ſea port to another] within either of the kingdomes

THAT Scottiſhmen be declared capable to be of any Incorporation / trade / or ſociety within England or Ireland / or in forraine trade / as the Engliſh ar / and vpon like conditions as the Engliſh ar / and ſo reciprocally.

THAT Scottiſhmen be declared capable of all places faculties / profeſsions and benefits within the kingdomes of England and Ireland / as the Engliſh ar and ſo reciprocally.

THAT of all forrayne negotiations at home or abroad wch ar nationall or of joynt concernment / ther be equall number imployed of both kingdomes. That ſome of the Kings Shippes be appointed conſtantlie to guard the coaſt of Scotland / and give ſafe convoyes to Scotts ſhippes.

AND although ther be no materiall alterations of the former propoſitions nor of the 17. propoſition concerning the Militia / yow ar to make vſe of the preceiding Articles / & manage them / as yow ſhall find moſt conduceable for ſetling of Religion / peace and intereſt of this kingdome / and according to your former Inſtructions.

IF the abridging of the number of our Cavalrie to 2000 horſe and 1000 dragoones ſhall be inſiſted vpon / yow ſhall adhere to the anſwer made by yow to the vote of both houſes of the 6. of Januar vpon that ſubject / and adde further / that as the least number by the treaty / was agreed to be 18000 foot / 2000 horſe and a 1000 dragoones / beſides the forces wch were invited vnder the cõmand of the Erle of Callender / So is ther no Juſt reaſon of exception vpon the point of number / ſo long as the Army compting both foot and horſe doth not exceed the number firſt agreed vpon / and the additionall forces brought in by the Erle of Callender Nor can ther be any juſt exception taken by the houſes of parliat / for increaſe of charge and expenſs / ſo long as ther is no more money and pay ſought from them nor the 30000 lib agreed vpon to be payed monethly to the Army / and that we have ever bene / and ar still willing / that Musters be made for knowing the number and strenth of our Army

CONCERNING Belfast and the Gariſons in Ireland / yow shall ſhew that by the Treaty vpon wch an Army was ſent from Scotland to Ireland / The warre is to be first proſecute in Vlſter / and the Cõmander in cheiſe of the Army entrusted to cary on the warre as might best suppreſse The Rebell and reduce that Kingdome to the obedience of King and Parliament. And that all places recovered from the enemy / ſhould be diſpoſed of / as the Cõmander in cheiſe ſhould judge best for promoting the ſervice / and ſhould remaine in the poſſeſsion of the Scotts during their abode in Ireland

BELFAST is a place wherin a part of the Scottiſh Army at their first arryvall in Ireland was quartered without any interruption / till the Scotts forces within it were drawne foorth / & of for ſome ſervice in the fields / vpon wch Col: Chicester (then having declared himſelf an enemy to the Army / Cauſe and Covenant) was vnwilling to quarter the like number of the Scottiſh Army there againe / wch moved Generall Major Monroe to regaine that quarter which he did cairfully & actively perform without any violence / whervpon Col. Chicheſter with his people went Imediatly to the enemy into Dublin / to whom doubtles he would have ſurrandered that Gariſon if he had not bene tymly prevented And therfoir Belfast being a place alwayes in the poſſeſsion of the Scottiſh Army / and purchast from the enemy / at least from ſuch a perſon as would have betrayed it to the enemy / and being a place most neceſsary for the ſubſistance of the Scottiſh Army / and promoting

the warre / it is agreeable to the Treaty and for the good of the ſervice / that it remaine in the poſſeſsion of the Scotts / ſo long as they remaine in Ireland for the proſecution of the warre And for your better information concerning this particular / yow ſhall perviſe the papers from Ireland heirwth ſent to yow.

YOW ſhall give frequent advertiſement to the Parliament or their Cōmittees of your proceedings.

Eikit Inſtructions

YOW ſhall deliver to the hono^{ll} Houſes of Parliament our letter in anſwer to theirs of the 3 of November concerning the removing of our Gariſons from Newcastle etc. and manage that particular according to the Instructions ſent vnto yow for that effect.

YOW ſhall receave our letter to the Houſes of Parliament demanding the speedy ſetling of Religion & vniformity / the carying on the warre by the joynt Councells & forces of both kingdomes / the ſending of Propositions of Peace to the king / The payment of the ſowmes of money due to this Kingdome and our Army / and keeping a right vnderſtanding betueene the Kingdomes And wee referre vnto your wiſdome & diſcretion to make the beſt vſe yow can of that letter / and deliver or not deliver it / as yow conceave may ſerve moſt for the good of the cauſe and interest of this Kingdome

YOW ſhall deliver our letter wryttin to the Aſsembly of divynes.

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54 TUO Commiſſions in favours of Generall Major Midletoun.

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55 ACT anent the advancement of ane Moneths Maintenance by the Shires and Burghs.

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56 COMMISSION to Generall Major Hopburne.

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57 OVERTURES concerning the Generall Commiſſar.

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58 DECREET Maſter John Williamſon, and Archbald Moodie.

. . . . . .

COMMISSION for ane new valuation of the Shire of Aberdene. 59

. . . . . .

ORDINANCE anent the overturs for the Burrows. 60

. . . . . .

ACT in favours of the Univerſity of S. Androis and anent the Creditors of Sir Robert Spotiſwood. 61

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IV FEBRUARII.

ORDINANCE anent the Quartering of Officers and Souldiers.

THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Having heard and conſidered the overtures underwritten, whereof the tennor follows: The humble deſire of the Burrows to the Honourable Houſe of Parliament. 1. That they will be pleaſed to give warrand for diſcharging Quarter Maſters of Regiments and all others, to Quarter any Regiments or Souldiers within Burghs, but that the Magiſtrates of the Burrows may have the charge thereof, becauſe Quarter Maſters takes Money and makes free whom they pleaſe, and layes heavier burthens upon others nor they are able to bear. 2. To condiſcend and ſet down order, how, and at what rate all Officers of Regiments ſhall be entertained upon free Quarters within Burghs, becauſe ſome are very implaceable and at extraordinary expenſes to theſe upon whom they are Quartered, not only taking free Quarters to themſelves, but to all ſuch their Comrades whom they ſhall pleaſe to bring in with them, and doe enforce poore men to ſerve them with Wine, both at Table and extraordinary times. 3. To condiſcend what of the inferiour Officers ſhall bee oblieged to live upon Provant as doeth the Souldiers, and who ſhall be entertained for payment in Moneys. 4. To condiſcend how many Horſes is allowed upon the Officers of Foot Regiments, becauſe ſome of them doe keep four or five Horſe with them upon free Quarters, which doeth draw to great expenſes. The ſaids Eſtates ordaines the Quarterings within Burghs, To be as the Magiſtrates of the Burghs ſhall appoint, conform to the deſire of the firſt Article: And alſo, The Eſtates ordains and appoints the Committee for the Moneys, To condiſcend on the wayes, rules, and orders, how, and at what rate all officers of Regiments ſhall be entertained upon free Quarters within Burghs, or in Landward, according to the deſire of the ſecond 62

Article, which the Eſtates findes juſt. And ſicklike, The ſaids Eſtates of Parliament remits and recommends the third and fourth Articles abovewritten as juſt and reaſonable to the ſaid Committee for the moneys, And ordains them to condiſcend what of the inferiour Officers ſhall be obliged to live upon Provant, as doth the Souldiers, and who ſhall be entertained for payment in moneys; As alſo to condiſcend how many horſes is to be allowed upon the Officers of Foot Regiments to be kept upon free Quarters conform to the deſire of the foreſaid third and fourth Articles.

ACT anent the Recruting of the Armies.

63 THE Eſtates of Parliament now conveened in the fifth Seſſion of this firſt Triennall Parliament, Having upon conſideration of the continuing troubles of this Kingdom, and of the condition of their Armies, both at home, and in England, bethought themſelves of the duty which in the preſent conjuncture of affairs they owe unto God in defence of his Truth, againſt all oppoſition, and to this Kingdom (whom they repreſent) the maintenance of its Lawes and Liberties, according to the Covenant, Have thought it neceſſary, that the Armies within this Kingdom and in England, be recruted, ſtrengthened, and inabled, ſo to proſecute the Warre this enſuing Summer, as by the bleſſing of God upon their endeavours, the long-laſting troubles of this Kingdom may end in an happy and ſafe Peace; which being ſo much deſired by all good Chriſtians and Countreymen, The Eſtates of Parliament have reaſon to be confident of their ready & cheerful concurrence with their perſons and fortunes in the way and mean for attaining the ſame, whereunto alſo (albeit Religion were not in hazard) the Kingdomes honour ſo much intereſſed, were of it ſelf a motive ſtrong enough to prevail with every true Scottiſh heart: And therefore have ſtatute and ordained, that any Leavies formerly appointed by warrant of the Parliament, Convention of Eſtates, or any Committee from them reſpectivè, or Run-aways from any Regiments, who have returned back to their Shires, and are now lurking in the ſame, be with all expedition put out and delivered to thoſe Regiments unto which they are aſſigned by any Acts of Parliament, Convention, or Committee, or from which they are Run-awayes, and that there be no neglect in the due execution hereof, The ſaids Eſtates Ordains the Committees of War in ilk Shire reſpectivè, to be careful herein, as one of the moſt ſpeciall and neceſſary points of the truſt committed unto them. And becauſe the number of the ſaids Deficients and Runaways will not be ſufficient to make up the ten thouſand Foot, appointed to be entertained within, and for the ſervice of this Kingdom, and alſo to ſtrengthen and recrute the Armies in England, they have therefore ſtatute and ordained, that a new levie of Foot to be laid on and raiſed out of the ſeverall Shires and Burghs of this Kingdom, according to ſuch proportions, and for the Recrues of ſuch Regiments as ſhall be contained in the Liſt to be made up by the Committee of Eſtates: And becauſe upon the ſpeedie and effectuall execution of this Ordinance (as the only probable humane means) ſo much dependeth all the honour and happineſſe of this Kingdome, The Eſtates of Parliament have thought fitting ſeriouſly to recommend to the Committees of Warre of the ſeverall Shires, heartily and with publike ſpirits, over all difficulties, to adde unto the former, this new teſtimony of their reſolutions, to purſue the ends expreſt in their Covenant, with their lives, fortunes, and eſtates, and ſpeedily to deliver their ſeverall proportions of men, to ſuch Officers of the aforeſaid Regiments reſpectivè, as ſhall be appointed for receiving of the ſame from them. And further Statutes and Ordains, that the ſaids numbers of men appointed to be raiſed out of the ſeverall Shires and Burghs, be in readineſſe, and be delivered betwixt and the Tenth day of March next, to ſuch Officers as ſhall be appointed by the Colonells reſpectivè foreſaids for receiving of the ſame. And that betwixt and the ſaid Tenth day of March, the Committees of Warre of the ſeverall Shires, ſhall ſend ſome of their own number, fully inſtructed, to give an accompt of thair diligence, both in putting out this new Leavy, and their former Deficients, unto the Committee of Eſtates.

ACT Anent the forefaulting of the Lands and eſtate of theſe who refuſe to pay their Fines.

THE Eſtates of Parliament now conveened, in the 64
fifth Seſſion of this firſt Triennall Parliament, Gives full power and warrand to the Committee for the Moneys or Quorum thereof, upon refuſall to pay the fines impoſed already, or to be imposed upon any perſon, who in the rigour of Law might have been puniſhed in life for acts of malignancie, and now falls within the compaſſe of the firſt or ſecond claſſes, to forfeit their Lands and eſtates or any part thereof, as the ſaid Committee or their Quorum ſhall think fitting, and not their lives.

ACT anent the delyverie of the perſones of ſuch as are fyned To the Regimentꝭ and officeres þ'of To quhome there fynes ar aſſignet

AT SAINTANDROIS the fourt day of februar 65
The ȝear of god J^m vj^c fourtie ſax ȝeires The eſtatꝭ of parliament now ꝯveened in the fyft ſeſſioun of this firſt trienniall parliament Ordaines the perſones of theß delinquentꝭ and malignantis who ar already fyned or to be fyned And quhoſe fynes ar aſſignet to Regimentꝭ and officeris þ'of To be

delyvered to the officeris of theſe Regiments to quhome thair fynes ar aſſigned To be keeped be theſe officers till they be payed of the ſoumes and fynes Impoſed vpone the ſaids delinquentis Quhairanent thir preſents ſall be a warrand

ACT Salvo Jure Cujuſlibet.

66 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Conſidering That in this preſent Seſſion of Parliament, there are ſome particular Acts and Acts of Ratifications made in favours of particular Perſons, which may bee prejudiciall to the parties having intereſt, and not heard; Albeit the meaning of the Eſtates bee at this time, as it was ever in all preceding Parliaments, That by no particular Act, or Act of Ratification granted to any particular Perſon, Any other parties ſhould bee hurt or prejudged of their lawfull rights and defences competent to them of the Law: For remeed whereof, It is Statute and Ordained, That no Ratification, or other particular Act whatſomever made in favours of any particular Perſon, in this preſent Seſſion of Parliament, be prejudiciall to any other Parties Rights or Defences, competent to them of the Law; But that the ſaids particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes underſtood, Salvo jure cujuſlibet.

ACT of continuation of the Parliament to the firſt Tueſday of November 1646.

67 THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Continues this preſent Parliament and all matters belonging thereto (which are not committed or remitted reſpectivè to the Committee of Eſtates of Parliament, or to other Commiſſions granted in this Seſſion of Parliament) while the firſt Tueſday of November next to come; At which day, or ſooner, as the Committee of Eſtates or Quorum thereof ſhall appoint, Ordaines the haill Eſtates to be preſent, and to attend at Edinburgh, or where it ſhall happen the Committee of Eſtates to appoint the Parliament to bee holden for the time; With power likewiſe to the Committee of Eſtates, To conveen the Parliament ſooner if they think fitting, and to appoint any other place at that time if they finde the ſame expedient: And in the meane time, The Eſtates declares this preſent Parliament currant to the day foreſaid; And ordaines the haill Acts and Statutes made and concluded in this Seſſion of Parliament, To ſtand, and have the force and ſtrength of Acts of Parliament, conforme to the tenors thereof, ſicklike, as any Acts and Statutes of any preceding Parliaments in any time bygone: And ordaines publike Proclamation to bee made hereof, at the Market Croſſe of S. Andrews by ſound of Trumpet. And the Eſtates continues the Exciſe, and ordaines the Act alreadie made, to ſtand and endure till the firſt day of November next, conform to the Acts already made thereanent: And alſo ordains the Lords of Seſſion, to conveene and ſit down in Seſſion for Adminiſtration of juſtice to the lieges, the firſt day of June next to come, and to continue at the ordinary times appointed for the ſitting of the Seſſion at Edinburgh, while they be diſcharged by Parliament, Committee of Parliament, or Counſell.

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INSTRUCTIONS to the Marques of Argyle and others for Ireland. 68

. . . . . .

ACT of exoneration to the Proqutors and Agent for the Eſtate. 69

. . . . . .

RATIFICATION to the Earle of Crawford. 70

. . . . . .

RATIFICATION to the Lord Forreſter. 71

. . . . . .

RATIFICATION to M. Robert Bruce Miniſter at Aberdour. 72

. . . . . .

RATIFICATION to Hugh Lindſay. 73

. . . . . .

RATIFICATION to Patrick Lentron. 74

. . . . . .

RATIFICATION to John Dickſon of Hairtrie. 75

. . . . . .

RATIFICATION to the Lord Pitſligo. 76

. . . . . .

RATIFICATION to James Allan. 77

. . . . . .

RATIFICATION of the Act and Proclamation anent Manufactories. 78

. . . . . .

RATIFICATION in favours of the Lady Naper. 79

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Apud Edinburgh,

III DIE NOVEMBRIS, A. D. M,DC,XLVI.

IN THE SIXTH SESSION OF THE FIRST TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Edinburgh, and begun the third of November 1646.

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VII NOVEMBRIS.

1 ACT in favours of the Lord Wariſtoun.

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2 ACT in favours of the Lord Regiſter, Lea, Tofts, and Laird of Bogie.

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3 ACT of approbation to the Marques of Argyle, and remanent Commiſſioners at London.

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XI NOVEMBRIS.

COMMISSION for the Committee for Loiſſes

4 THE eſtates of parliament Nominatt and appointis the Erles of Eglintoun Buccleu^t^ Dalhouſſie and Lord Cowper for þe nobilitie the Lord Innerpeffer the Laird of clerkingtoun the ſtreff of gallaway and the Laird of Duffus for þe Barrones Jo^n^ ſhort for ſtirling Jo^a^ forbes for Inuernes M^r^ Jo^n^ hay for Elgine and M^r^ Ro^t^ cunynghame for kinghorn for þe burrowis To be ane cõmittie to reſſave reveiſe and conſider the billt ſuplica^o^unes and Ratifica^o^unes to be given in to this ſeſſion of parlia^t^ As alſo ffor reſſaveing reveiſing and conſidering all reportis of formar commiſſions granted for tryell of Loiſſes by ſea and land to be reveiſed and conſidered be þ^m^ſelfis or anie they ſall appoint for þ^r^ effect And þ^r^eftir to ordane þe ſamen reportt of Loiſſes by ſea and land To be reg̃rat in þe particular reg̃re of Loiſſes be Mr Andro baird clerk deput to þe Lord reg̃re and keipar of þe ſamen reg̃re As lykewyſe w^t^ power to þ^m^ or quorum þ^r^of vnderwr̃in to grant cõmiſſions for tryell of Loiſſes by ſea and land and to reſſave þe reportis þ^r^of or of ony formar cõmiſſions alreadie granted for þ^r^ effect and accordinglie to appoint the ſamen to be reg̃rat ut ſupra and, to mak report þ^r^of in plane parlia^t^ With power lykewyſe to this comittie to grant warrand for cita^o^une of pairteis as they ſall think fitt and to reject ſick ſuplica^o^unes ratifica^o^unes and v þ^r^t cõmitted to þ^m^ as they ſall think not competent to be reſſaved But prejudice to þe pairteis to preſent the ſame in plane parlia^t^ And ordanis this cõmittie not to determine in anie of þe ſ^d^t materr cõmittit to þ^m^ bot to report þe ſame to þe parlia^t^ Except q^r^ þe pairteis ſall conſent In q^lk^ caiſe of conſent grantis power to this cõmittie or quorum to determine accordinglie And ordanis þe Lord Chancello^r^ and preſident of par^t^ to be ſupernumerarie in this cõmittie and all v þ^r^ cõmitties of parlia^t^ And appointt the quorum to be ſevin thair being tuo þ^r^of of ilk eſtait And The eſtatt declares þ^r^ anie member of parlia^t^ ſall have acceß to this and all v þ^r^ cõmitties and Libertie to repreſent to þe cõmitties anie overto^r^ that is fitting albeit they be not vpon þe ſ^d^t cõmitties And the eſtatt appointt þe place of meitting of this comittie to be in þe vtter excheq^r^ hous

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XII NOVEMBRIS.

ACT in favours of the Lairds of Lugtoun, 5
Dairſie, and others.

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XIV NOVEMBRIS

PROROGATION of the Committees of 6
War in the Shires, during the ſitting of the Parliament.

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[LETTER from the Parliament to the King desyreing a settlement of religion and a happy and well grounded peace in all his Majesties dominions according to the oath and Covenant]

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XIX NOVEMBRIS.

ACT anent Quarterings, and payment of Officers and Souldiers in their Quarterings.

THE Eſtates of Parliament now conveened in this 7
Sixth Seſſion of the firſt Trienniall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by His Majeſty and three Eſtates, in Anno 1641. Taking to their conſideration the great abuſes committed by Officers and Souldiers, in their unorderly Quartering through the Countrey, And the heavy burden lying upon His Majeſties

good Subjects, And being reſolved to apply their authority for redreſſe of theſe diſorders, and protection of the Lieges; Do therefore Statute, Ordain, and Enact, That in time coming after the twenty ſixth day of November inſtant, All Officers and Souldiers have their pay delivered to them at the end of every 14 dayes (or ſooner if they remove) by the Shire in which they and their Regiments are Quartered, according to the eſtabliſhment hereafter ſubjoyned. And that the ſaids Officers ſhall pay ready money for whatſoever they take up for themſelves, their Horſe and Servants, at the ordinary rates of theſe places where they are Quartered, without extortion. And alſo that when they receive their payment ilk fourteen dayes, at the receipt of their pay, they bring with them, and exhibite certificates and diſcharges of the true payment made by them of all their furniſhing and expences from theſe perſons where they have lived, or from the Commiſſioners of Pariſhes or Magiſtrates of Burrowes where they have been Quartered.

HERE followeth the eſtabliſhment for the Officers for their daily pay in their Quarters, viz. A Colonel to Horſe 7 l. 4 s. Scots money per diem. A Lieutenant Colonell to Horſe daily 3 l. 12 s. A Major to Horſe daily 48 s. A Regiment Quarter-Maſter to Horſe daily 30 s. A Chirurgion to Horſe where there is ane daily 20 s. Each Root-Maſter daily 3 l. 6 s. 8 d. Each Lieutenant daily 30 s. Each Cornet daily 24 s. Each Quarter-Maſter daily 20 s. Each Corporal, being three allowed to each Troop daily 16 s. Each Trumpeter daily 13 s. 4 d. And to each Trooper daily half a peck of Oates, ſix ſheaves of Straw, and 6 s. 8 d. in Money: Or otherwiſe 12 s. in Money, in the option of the perſons where they are Quartered.

ITEM, For a Foot Regiment, The Colonell to Foot to have daily 4 l. 16 s. A Liutenant Colonel to Foot daily 48 s. A Major to Foot daily 32 s. Regiment Quarter-Maſter daily 20 s. Chirurgion, where there is ane daily 20 s. Drummer Major daily 8 s. Regiment Scriber daily 13 s. 4 d. Proveſt Marſhall daily 8 s. Each of ten Captains daily 44 s. 5 d. Each of ten Lieutenants daily 20 s. Each of ten Enſignes daily 16 s. Each of twenty Serjeants daily 6 s. 8 d. Each of thirty Corporals daily 5 s. 9 d. Each of ten Captains at Arms daily 6 s. 8 d. Each of 19 Drummers daily 5 s. 4 d. Each Foot Souldier allowance in Meal & Quarters, or 4 s. daily, in the option of the perſons where they are Quartered.

ITEM, For a Regiment of Dragooners, The Colonel of Dragooners daily 6 l. Lieutenant Colonel to the Dragooners daily 3 l. Major to the Dragooners daily 40 s. Quarter-Maſter daily 25 s. Chirurgion, if there bee ane daily 20 s. A Captain of Dragooners daily 45 s. A Lieutenant to Dragooners daily 25 s. An Enſigne to the Dragooners daily 20 s. Each Serjeant to the Dragooners daily 11 s. 4 d. Each Corporal of Dragooners daily 10 s. Each Drummer daily 10 s. Each Souldier of Dragooners to have daily 9 s. or elſe ſix ſheaves Straw, ane fourth part Oates, and 5 s. money, in the option of the perſons upon whom they are Quartered.

AND it is Statute and Ordained, That the Troopers and Souldiers of Foot be equally Quartered through the Shires by the reſpective Committees thereof, And that upon no pretence whatſoever any exemption be allowed to any perſon, but by Warrant of Parliament or their Committee, except for lands burnt, waſted, or poſſeſſed by the Enemy: For it is declared hereby, that ſuch Lands or Burghs as ſhal be found by the Committee of Eſtates of Parliament, or Commiſſioners appointed by them for that effect, to be ſtill poſſeſſed by the enemy, or to have been burnt or waſted by the enemy, our own Forces, or the Plague, ſo that the Heritors thereof are diſabled therethrough to bear any publick burdens, Shal be free pro tanto of any pay, or giving of Quarters to Officers or Souldiers, unleſſe in caſe of neceſſity for the good of the Service, which is remitted to the Commander in chief where theſe Forces are. And the Forces being thus proportionably Quartered in the Shires to Burgh and Land equally, conform to their valuation and Maintenance, It is ordained, That no Shire nor Burgh pay any Quarters to any common Souldiers Horſe or Foot, but ſuch as are actually and locally Quartered within the bounds, and that none of theſe common Souldiers, Horſe or Foot, be payed when they are perſonally abſent from their Quarters. And it is declared, That the whole premitted Articles are to be underſtood of the Winter Quarters allowed to the Officers and Souldiers for their reſidence and Maintenance, conform as they are ſeverally divided and appointed through the whole Kingdom, and no wayes to be underſtood of paſſing or tranſient Quartering, nor extended to the Shires where the body of Forces ſhall be commanded for the proſecution of the War, ſo that no Shire ſhall be burdened above their proportion; but that the Eſtates of Parliament in their particular Act for Maintenance and entertainment of the Forces, ſhal ſet down the way of relief of the Shires of Aberdene, Bamff, and Murray preſently, and generally of all Shires which may happen hereafter to be over-burdened in the proſecution of the War.

AS likewiſe it is Ordained, that in paſſing Quarters, the Officers and Souldiers ſhall be equally and proportionably Quartered in the Pariſh by the advice of the Commiſſioners thereof: So that the Officers ſhal not over-burden any perſon or place at their pleaſure. In which caſe of tranſient Quarters, It is appointed that the Quarter-Maſter or Commander of the party, ſhal deliver to the Commiſ-

ſioner of the Pariſh, or ane of the chief Heritors reſident therein, or their Baillies, Officers or Chamberlains, or Magiſtrates within Burgh, the names of all the Souldiers to be Quartered in that Pariſh or Burgh, in a Roll ſubſcribed with his hand. And declares, that in theſe Pariſhes either in Burgh or Land, ſo Quartered upon in theſe tranſient Quarters, ſhall have their proportionall relief of the remanent Shire. And it is alſo declared, that the houſes of Heritors and Liferenters ſhall be free of Quartering, they furniſhing Quarters upon their own Tennants, or in Inns upon their own bounds. And alſo that ſuch Royall Burghs, where there is Garriſons of Foot, be free of the locall Quartering of Horſemen, They alwayes paying their proportion with the Shire according to their valuation and maintenance.

AND farther it is hereby Ordained, That the Officers of the ſeverall Regiments within the Kingdome, and all the Souldiers thereof ſhall repair to their charges and Quarters within ſix dayes after the publication hereof at the Market Croſſe of the head Burgh of every Shire (and for Pearth Shire, Ordaines the publication to be at the Market Croſſe of Abernethy) And not to remove from their ſeverall Quarters and attendance of their charges, without ane forloff and licence from the Generall Major, Parliament, or their Committee to the Colonell, and from the Colonell to all inferiour Officers under him (they alwayes leaving ſufficient Officers to attend the charge) under the pain of caſheiring and loſſe of their Arrears. And likewiſe, The Eſtates of Parliament, Ordains and commands the Committees of War in the ſeveral Shires of this Kingdome (who are hereby continued in their conſtant places, untill the Parliament give new order thereanent) To bee aſſiſting to ſee this Act punctually obſerved in the whole Heads thereof. And for that end that they ſend in weekly to their Commiſſioners, during the ſitting of the Parliament, ane accompt of each Troope and Company, with the Officers and Souldiers names, according as they are Quartered within their bounds, and of the obedience given herein by the Officers. And for that effect, That they call upon the Commiſſioners of Pariſhes, to give in to them upon oath, ane accompt of the number locally Quartered in each Pariſh, and of the cariage of Officers and Souldiers Quartered upon them: With this certification, that where the Commiſſioners of the Pariſhes ſends not ſuch ane accompt, it ſhall be reputed and holden that there is none Quartered upon their Pariſh, nor any diſorders committed therein.

AND likewiſe it is Ordained, That it ſhall not be lawful to the Officers or Souldiers to Horſe or Foot, upon the not timous advancement to them of the pay above-written, to ſend out parties for up-lifting the ſame at their own hand, untill firſt it be repreſented by them to the Committee of the Shire, or Magiſtrate within Burgh, That they may give warrand for the ſame. And appoints the Committees of Shires to meet every fourteen dayes for that effect.

AND the Eſtates hes hereby declared, that no allowance, maintenance or Quarters is to bee given to any Officers or Souldiers for the tenth man, or the Pedieſe or Boys and Horſe, But totally and abſolutely diſcharges the ſame in all time coming.

AND laſt it is hereby declared, That if any of the Subjects of this Kingdom be injured in body and goods by any Souldiers within the ſame, that the party wronged make his complaint to the ſaid Souldiers Officer, and upon his refuſall or delay to redreſſe the wrong, That the party addreſſe himſelf to the Colonel, Lieutenant Colonel, or Major of the Regiment, if they be within the Shire for the time, and make known his complaint to them, upon whoſe abſence, or neglect, or delay of juſtice, the parties wronged are to mean themſelves to the Committee of Warre in the Shire, or within Burgh to the Magiſtrates thereof; By whom the ſame is to be repreſented to the Parliament or Committee of Eſtates, that they may give orders thereanent for puniſhing the ſaids offenders, and alſo the Officers for their neglect. And ordains the Lord Regiſter to cauſe preſently Print this Act.

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XX NOVEMBRIS.

ACT in favours of the Pariſhioners of Muckart and Dolor. 8

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XXIV NOVEMBRIS.

ACT for relief of the Shires of Aberdeene and Bamff. 9

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XXVII NOVEMBRIS.

ACT of approbation to the Committee of Eſtates, anent the taking off of the Rebels.

THE Eſtates of Parliament having heard and conſidered that report from the Committee appointed for reviſing of the Acts of the Committee of Eſtates, anent their carriage and proceedings in bringing off of the Rebels, and reducing them to dutifull obedience from their former Rebellion: and having at length after full debate conſidered the ſamine, 10

with the reaſons and grounds of their procedor thereanent, expreſt in the Paper given in by the ſaid Committee of Eſtates, bearing their haill proceedings in the foreſaid particular, with the grounds and reaſons thereof, They finde that the ſaid Committee of Eſtates hes warrandably, carefully, faithfully, wiſely, and diligently behaved themſelves thereintill, anſwerable to the truſt and warrand granted and committed to them, and that their carriage therein deſerves publick thanks and approbation. And therefore the Eſtates of Parliament do hereby Ratifie and approve the ſamine as well and warrandable done for the good and peace of the Kingdome, and gives them publick thanks.

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XXVIII NOVEMBRIS.

11 COMMISSION for Proceſſe, Money, and Exciſe.

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12 ACT in favours of the Earle of Findlatar.

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I DECEMBRIS.

13 ORDINANCE concerning James Bell and Coline Campbell.

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II DECEMBRIS.

14 ACT in favours of Lieutenant Generall David Leſly.

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III DECEMBRIS.

PROTESTATION Lord Spynie.

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IV DECEMBRIS.

15 ACT in favours of Maſter James Hay.

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VIII DECEMBRIS.

16 ACT James Maxwell of Sprinkell.

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IX DECEMBRIS.

17 ACT of approbation and exoneration to the Lord Humbie.

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ACT anent Officers, Troupers, and Souldiers of new Levies.

18 THE Eſtates of Parliament now conveened in this ſixt Seſſion of the firſt Triennall Parliament, Taking to their conſideration the Quere under-written repreſented to them, viz. Whereas by Act of the Committee of Eſtates of the day of laſt bypaſt, all Leavies of new Troops for making up and Recruting of Regiments of Horſe, was diſcharged; Yet notwithſtanding of the ſaid Act, the Collonells and Commanders in Chief of the Regiments ſo to have been recruted, did ſtill keep up the Rootmaſters, Captains of Foot, and other under Officers, which they had deſigned for that effect, and did Quarter them where the reſt of the Regiment Quartered in the Country. Queritur, If the Shires or Burghs by the late Act of Parliament ſhall be oblieged to give Pay to Officers Horſe or Foot, ſo deſigned, and who hes no Troops nor Companies.

THE ſaids Eſtates after full debate in Parliament hereanent, Findes, Statutes, and Ordains, That there ſhall be no Pay nor Quarters given either in Shires or Burghs, to ſuch Officers, Foot or Horſe, of any new Leavies, Troops or Companies diſcharged by the foreſaid Act of the Committee of Eſtates, Nor yet to the Officers Foot or Horſe, of any Troops or Companies whilk hes been appointed to be Leavied ſince the Battell of Philiphauch, whilk was upon the day of September 1645 years, Unleſſe ilk Troop of Horſe conſiſt and be of the full number of fifty Troopers by the Officers, and ilk Foot Company to be of the number of fourſcore Souldiers by the Officers. And the Eſtates diſcharges all Officers, Foot or Horſe, and their Troopers and Souldiers of the ſaids Troops and Companies not conſiſting of the ful and compleat number of fifty for ilk Troop by their Officers, and fourſcore for ilk Foot Company by the Officers, fra all exacting of Pay or taking of Quarters either for Officers Troopers or Souldiers, Horſe or Foot, of theſe Troops and Companies in time coming. And Ordains thir Preſents to be Publiſhed and Printed.

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X DECEMBRIS.

ACT anent Liferenters, that they pay publick Dues, and bear publick Burdens.

19 THE Eſtates of Parliament now preſently conveened in the ſixth Seſſion of this firſt Trienniall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and Eſtates of Parliament in Anno 1641. Taking to their conſideration, That the payment of Taxt, Loane,

Monethly Maintenance of the Army, out-putting of Horſe and Foot, and other publick Impoſitions hes been retarded and hindred heretofore, and may be hereafter in ſeverall Shires of this Kingdome, upon this doubt and Quære, viz. Whether or not Liferenters who are infeft in ane yearly annualrent of money out of Lands for their lifetime, Or who hes diſponed the Right of their liferent Infeftment whereby they were infeft in Land for their lifetime for ane obliegement of new infeftment of liferent in ane annualrent of money out of lands in contentation of their conjunct fie, or who hes ſet their liferent lands for ane back tak duety, hes been, are, and are to be lyable To the out-reik of Horſe according to their proportion of rent, To the payment of Taxt, Loane, and monethly Maintenance, and to all other publick Impoſitions and Burdens, whereunto Lady liferenters that are in poſſeſſion of lands are oblieged unto. The Eſtates of Parliament for clearing hereof, findes and declares, That it was alwayes their meaning and will, and of the Convention of Eſtates, That all perſons and ſubjects of this Kingdome, ſhould be lyable to their proportionable part of all publick Burdens impoſed for proſecuting the ends of the Covenant, and that no exemption was given to any whatſomever, but for lands, rents, annualrents, and other duties mortified to Colledges, Schooles, Hoſpitals, Miniſters and Readers ſtipends, and for upholding of Kirks and Bridges: And in particular findes and declares, it was and is their meaning and will, and was the minde of the Convention of Eſtates, That all Liferenters who are infeft in ane yearly annualrent of Money out of lands for their lifetime, Or who hes diſponed the right of their liferent Infeftment whereby they were infeft in lands for their lifetime for ane obliegement of new infeftment of liferent in ane annualrent of Money out of lands in contentation of their Conjunctfie, although they be not actually infeft thereupon, or who hes ſet their liferent lands for ane back tak dutie, hes been for all times bypaſt, are, and are to be for all times coming, lyable to the out-reik of Horſe, according to their proportion of rent, To the payment of Taxt and Loane, and monethly Maintenance of the Army, and to all other publick Impoſitions and Burdens whereunto Ladyes liferenters that are in poſſeſſion of lands are oblieged unto; And that notwithſtanding of any clauſe of warrandiſe mentioned or contained in their ſecurities of their ſaids annualrents, except the ſaid clauſe of warrandiſe ſpecifie per expreſſum, To warrand from Taxt, Loane, Monethly Maintenance, and out-reik of Horſe, Becauſe it were againſt all reaſon and equity, and beyond the meaning of parties contractours in theſe ſecurities, To obliege them to warrand their Rights from unexpected publick Burdens impoſed ſince the making and granting of the ſaids Rights and Securities, ſeeing it is juſt and reaſonable, That ilk ane of the Lieges who hes Rent within this Kingdome, ſhould bear their proportionable part of the publick Burdens of this Kingdome, conforme to the proportion of their Rents. It is alwayes declared, That this Act ſhall no wayes be extended to Improper Wadſetts.

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RATIFICATION in favours of the Earle of Crawfoord-Lindſey. 20

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ACT Alexander Maxwell of Conhaith. 21

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XV DECEMBRIS.

ACT anent the Shipping in the weſt coaſt. 22

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XXIV DECEMBRIS.

INSTRUCTIONS to the Commiſſioners that went to Newcaſtle. 23

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INSTRUCTIONS to the Commiſſioners at London. 24

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ACT anent the Quorum of the Commiſſioners at London. 25

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XXV DECEMBRIS.

WARRAND of Parliament to the Lord Generall. 26

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ACT in favours of Maſter Robert Gordoun of Straloch and his Son. 27

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XXVI DECEMBRIS.

ACT in favours of the Earle of Traquair. 28

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INSTRUCTIONS to the Commiſſioners at Newcaſtle. 29

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30 ACT anent the election of the Magiſtrates of Glaſgow.

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XXIX DECEMBRIS.

31 ACT in favours of the Lord Balcarras.

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XXX DECEMBRIS.

32 ACT Hector Macklene.

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XXXI DECEMBRIS.

33 ACT Lord Balcarras.

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34 COMMISSION for theſe that goes to Newcaſtle.

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35 DECLARATION of Parliament in favours of the Lord Humbie.

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I JANUARII.

ACT anent allowing of Quarters.

36 THE Eſtates of Parliament now conveened in this Sixth ſeſſion of the firſt triennial Parliament, for clearing of any doubt or queſtion that may be made in the allowing of Quarterings in paiment of the monethly Maintenance, alſwell Quarterings ſince Lambmes laſt 1646. yeares, as before that time; Findes, Declares, Statutes and Ordaines, That Quarterings alſwell ſince Lambmes laſt, as before Lambmes, ſhall be allowed in payment of the Monethly Maintenance, except onely for theſe firſt three Moneths Maintenance following, viz. March 1645. which is the firſt Moneth of the ſix Moneths Maintenance granted by the Parliament at Edinburgh in February 1645. Item, September 1645. which is the firſt of the three Moneths Maintenance granted by the Parliament at Perth in Auguſt 1645. And the Moneth of December 1645. which is the firſt of the eight Moneths Maintenance granted by the Parliament at S. Andrewes in January 1646. Which three Moneths above deſigned, were ordained to have beene payed without allowing of any Quarterings in the payment thereof, and which three Moneths are now ordained by the Parliament to be uplifted and intromitted with by Sir Adam Hepburne of Humbie, ſo farre as the ſamine are unpayed or unaſſigned, in payment to him of his ſuper-expences of his Scots accompts, ſo far as the ſamine will extend to, conforme to the Act granted in his favours hereanent of the date hereof.

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ACT in favours of the Marques of Argyle and remanent Heritors of that Shire. 37

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ACT in favours of the Marques of Argyle, Doctor Sharp, Sir William Dick, and others. 38

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ACT Lady Gairlees. 39

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WARRAND to the Lord Humbie for telling and receiving of 200000 l. Sterling. 40

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ORDINANCE of Parliament concerning the Town of Edinburghs Commiſsioners. 41

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ACT in favours of the Lord Humbie for his ſuper-expences. 42

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ACT in favours of John Johnſtoun. 43

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COMMISSION Lord Lovat. 44

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ACT in favours of the Earle of Louthian. 45

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ACT of approbation to Major Generall Midletoun. 46

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II JANUARII.

ACT anent Recording of Loſſes.

THE Paper under-written, whereof the tenour followes: The Committee appointed by the Parliament for conſidering of the particular Loſſes recom- 47

mended to them, do humbly repreſent to the Parliament, That whilſt they were about the diſcharge of what was committed to them, there occurred ane particular which they conceive very prejudiciall to the Subjects, and no wayes uſefull or neceſſary either to the Publick or to the parties intereſt, viz. When Commiſſions are given out for trying of Loſſes, The Reports of the tryall are appointed to be regiſtrate: Some whereof as they are drawne in the particulars by theſe who are Commiſſioners for the tryall, will take up the writing of five or ſix ſcore Sheets of Paper; of which ſort, one was before them this day; And it is hard to put the party ſufferer to the trouble of Regiſtrating of ſo long Reports: And therefore it is the opinion of the Committee, That the Parliament would appoint, That only ane Abridgement of theſe Reports be recorded, containing the parties names who are ſufferers, and the ſumma of their Loſſes and ſufferings: And the principall Report to be given back, marked to the party: And that the Parliament would either themſelves, or warrand this Committee to ſet down a price to be payed for this Regiſtration, as is done in Comprifings: Being publickly read in audience of the Eſtates of Parliament, and the ſamine being adviſed and conſidered by the Eſtates of Parliament, They agree to the opinion above-written of the foreſaid Committee. And enacts, ordaines and appoints, That there ſhall be onely ane Abridgement of the foreſaids Reports recorded, which ſhall containe the parties names who are ſufferers, and the ſumma of their Loſſes and ſufferings; And Ordaines the principall Report to be given back to the party marked, recorded ut ſupra. And alſe, The Eſtates of Parliament, Gives hereby warrand to the foreſaid Committee, To ſet down a price to be payed for the foreſaid Recording of the ſaids Reports, as is done in comprifings.

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48 ACT in favours of the Earle of Annandale.

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49 ACT in favours of Kenneth Mackenzie and others.

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50 ACT in favours of theſe to whom Generall Major Middletoun hath given paſſes.

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V JANUARII.

51 ACT concerning fines and borrowed moneys.

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ACT in favours of the Town of Innernes. 52

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ACT in favours of Colonell Lodovick Leſly. 53

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ACT Earle of Caſſels and Balmerino. 54

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VIII JANUARII.

ACT Martine Mackbeane. 55

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ACT Earle of Callendar. 56

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XII JANUARII.

ACT anent thoſe that are, or ſhall be reſtored againſt their Forfaltours.

THE Eſtates of Parliament, Taking to their conſideration, That there are ſundry Noblemen and others, who have been forfaulted in the preceding Seſſions of this Parliament, for taking up Armes againſt this Countrey or Cauſe in hand, who are now ſeeking to be reſtored and reponed againſt theſe Forefaultours. The ſaids Eſtates findes and declares, That notwithſtanding of the reſtoring and reponing of them, or any of them againſt the ſaids Forfaltours, yet it ſhall nowayes be leſome to them, or any of them, to repaire to the Parliament, and have place or voyce thereintill, without ſpeciall licence or warrand from the Parliament for admitting them thereunto. 57

XIV JANUARII.

RATIFICATION of the Commiſsion for changing Waird Haldings holden by the Kings Majeſtie.

THE Eſtates of Parliament now conveened in this ſixt Seſſion of the firſt Triennial Parliament, having ſeen and conſidered ane Signatour or Commiſſion granted by his Majeſty to the L. Theſaurer principal, Theſaurer Depute, & remanent Commiſſioners of Exchequer therin expreſſed, giving power to them to compone and agree with all his Majeſties vaſſals who holds their Lands by Ward & Relief, or Few with the marriage, for ſik ſummes of Money as they ſhall think reaſonable of fyne and compoſition, alſwel for alteration of their ſaids Tenours of 58

Ward to Few-ferm, as for what yearly canon or Few-duty ſhould be payed hereafter in all time-coming to his Majeſty and his Succeſſours in Exchequer for every Chalder of victuall of money rent thereof; As likewiſe to compone, tranſact and agree anent what augmentation of yearly Few-duty ſhould be made for quiting of the mariage of all the ſaid Vaſſals who holds few with the mariage, Bearing date at Newcaſtle the twenty ninth day of June 1646. Hath Ratified and approven, and by the tenour hereof Ratifies and approves the foreſaid Commiſſion in all the Heads and Articles of the ſamine, and declares the Rights and Securities hereafter to bee made and granted of any Lands by the ſaid Theſaurer, Theſaurer Depute, (and Quorum expreſt in the ſaid Commiſſion) changing and altering them from Waird to Few, or aboliſhing the mariage in few charters for a greater few-duty, ſhall be valide, good, and ſufficient charters and ſecurities to the receivers, and never be quarrelled in judgement nor outwith to them nor their poſterity. And declares, that the generalitie hereof ſhalbe als ſufficient to all perſons who ſhall hereafter agree with the Theſaurer anent any ſik Lands, as if every ane of the ſaids Charters were particularly ratified and confirmed in Parliament. And the Eſtates of Parliament adds Sir Archibald Johnſtoun of Wariſtoun his Majeſties Advocate and ane of the Lords of Seſſion, To be ane of the number of theſe Commiſſioners in the foreſaid Commiſſion and Quorum therein expreſt, and holds him hereby as inſert thereintill: And ordaines this preſent Act to be publiſhed at all places needfull with all diligence.

ACT anent the payment of the dutie for the Light of the Maye.

59 FORSAMEIKLE as the Eſtates of Parliament now conveened in the ſixt Seſſion of the firſt Triennial Parliament, Taking to their conſideration, That James Maxwel of Innerweik, and John Cunninghame of Barnes, Having procured from his Majeſty under the great Seale, ane power of erecting ane Light upon the Maye; And for maintenance thereof ane impoſt and duetie of twa ſhillings Scots to be payed upon the Tun of all Ships and Veſſels coming within Dunnottir and Sainct Tobs head, by Natives, And foure ſhillings Scots to be payed by Strangers, as their Gift and Letters Patent at mair length beares. And herewith alſo conſidering, That the ſaids Patentars being willing to give all reaſonable ſatisfaction to the Commiſſioners of Burrowes hereanent, they have reſtricted their ſaid Patent and duety foreſaid therein mentioned, To eighteen pennies Scots to be payed by the Natives, and three ſhillings Scots by Strangers upon ilk Tun, of Ships and others coming within the foreſaids bounds. And hes declared all Barks, Creeres, and others Veſſels coming from any part within this Kingdome within the ſaids bounds, or paſſing to any part within the ſamine, during the moneths of May, June, July, and fifteen dayes of Auguſt, and Northland Victuallers to be free of all duety whatſomever, whereupon the Commiſſioners of Burrowes by their Act at Edinburgh of the 13. of December 1639. yeares, Hes therefore obliged them to cauſe their neighbours make good and thankfull payment of the ſaid reſtricted duety, and not onely to aſsiſt in uplifting of the ſame from the neighbours, but alſo to concurre and aſsiſt for uplifting of the ſaid reſtricted duety from the Strangers whenſoever they ſhould come within their bounds and liberties, as the Act of Convention of Burrowes made hereupon at mair length beares. And the Eſtates of Parliament likewiſe conſidering the profits and univerſall good that redounds to all Ships, Barks, and others Veſſels coming and paſsing within the bounds above-mentioned, and bygane experience thereof; The ſaids Eſtates of Parliament do hereby enact, ſtatute and ordaine, That the foreſaid reſtricted duty ſhall be peaceably injoyed, received, and uplifted by the ſaid John Cunninghame of Barns, who hes now the full right of the ſaid gift and Patent diſponed and pertaining to him, and by his heirs and aſsignes, and his and their deputes and Collectors, alſwell in all other Ports & Harberies where any Ships or Veſſels do arrive, where there is no Burghs, as in Ports and Harberies of Burghs, for ilk Tun of Ships and other Veſſels coming within Dunnottir and Sainct Tobs head. And findes and declares, That all ſhall be lyable and alike obliged to the ſaid John Cunninghame of Barns, and his foreſaids, for the due payment of the foreſaid reſtricted dutie reſpectivè abovewritten, alſwell Natives as Strangers coming within the bounds aforeſaid, That the payment of the foreſaid reſtricted duty reſpectivè above-rehearſed be not fruſtrate nor made unprofitable to them in time coming. And ordaines publication hereof to be made at all places needfull (if need be) that none pretend ignorance of the ſamine: And that letters of horning, and all other executorials needfull be directed hereupon, alſwell againſt the Maſters, Sailers, and Owners of Ships both within the Harberies appertaining to Royall Burrows, and within their liberties, as againſt the Maſters, Sailers and Owners of Ships, Barks, or Crears arryving at Harberies or Ports whatſomever of landing outwith the Priviledges of Burghs Royall.

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ACT in favours of Lieutenant Generall King, reſcinding his foreſaltour. 60

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61 RATIFICATION to the Earle of Glencarne, of his gift to be Juſtice-Generall.

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XV JANUARII.

62 ACT Colonell Walter Scot.

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63 COMMISSION for tryall of Elizabeth Gordoun.

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64 ACT Lieutenant Generall Bailie.

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XVI JANUARII.

RATIFICATION of the Commiſsion for changing of the Waird Haldings holden of the Prince his Highnes.

65 THE Eſtates of Parliament now conveened in this ſixt Seſsion of the firſt Triennial Parliament, Having ſeen and conſidered ane Signatour or Commiſsion granted by his Majeſty for himſelf, and as Tutor and Adminiſtrator to his deareſt ſon the Prince, To the Lord Theſaurer principall, the Depute and remanent Commiſsioners of Exchequer therein expreſt, To compone, tranſact and agree with all the Vaſſals who holds their Lands of his Majeſties ſaid deareſt ſon the Prince by Waird and relief, for ſik ſummes of money as they ſhall think reaſonable of fyne and compoſition, alſwell for alteration of their ſaids Tenours of Waird to Few-ferme, as for what Canon or Few-dutie ſhall be payed hereafter in all time coming in his Majeſties Exchequer, for every chalder of Victuall, or hundreth merks of money rent. As likewiſe to compone, tranſact, and agree with the ſaids Vaſſals, that his Majeſty ſhal be obliged to pay to the ſaids Vaſſals who ſhal happen to agree with his Majeſties ſaid Theſaurer, Theſaurer depute & Quorum of the Commiſsioners expreſt in the ſaid Commiſsion, ſuch compoſitions and few-duties as ſhal be payed by them to his Majeſties ſaid Theſaurer, Incaſe his Majeſties ſaid deareſt ſon the Prince at his majoritie ſhall not Ratifie the ſaid Commiſsion and Few-charters to be granted to the ſaids Vaſſals, bearing date at Newcaſtle, the ninth day of January 1647. Hath ratified and approven, and by the tenour hereof ratifies and approves the foreſaid Commiſsion in the haill heads and articles of the ſamine, and declares the rights and ſecurities hereafter to be made and granted of any Lands by the ſaid Theſaurer, Theſaurer Depute, and Quorum expreſt in the ſaid Commiſſion, changing and altering of them from Waird to Few, and oblieging his Majeſty to pay to the ſaids Vaſſals, ſik ſummes of Money, with the annualrents thereof, as they ſhall happen to have payed to his Majeſties ſaid Theſaurer. Incaſe his Majeſties ſaid deareſt ſon ſhall not ratifie the ſaid Commiſſion at his Majoritie, ſhall be valid, good, and ſufficient charters and ſecurities to the receivers, and never be quarrelled in judgement nor outwith to them nor their poſterity. And declares, that the generalitie hereof ſhall be alſe ſufficient to all perſons who ſhall hereafter agree with the Theſaurer anent any ſik Lands, as if every ane of the ſaid charters were particularly ratified and confirmed in Parliament. And ordaines this preſent Act to be publiſhed at all places needfull with all diligence.

DECLARATION of the Kingdome of Scotland, concerning the Kings Majeſties Perſon.

WHEREAS it pleaſed God to joyne the Kingdomes of Scotland, England and Ireland in ſolemne League & Covenant for reformation & defence of Religion, the honour and happines of the King, and their own peace & ſafety; and in purſuance thereof, the Scots Army being in the Kingdome of England, the Kings Majeſty came into their Quarters before New-warke, and profeſſed he came there with a full and abſolute intention to give all juſt ſatisfaction to the joynt deſires of both Kingdomes, and with no thought either to continue this unnaturall War any longer, or to make diviſion betwixt the Kingdomes, But to comply with his Parliaments, and thoſe entruſted by them, in every thing for ſetling of Truth and Peace, and that he would apply himſelf totally to the counſels and advices of his Parliaments. And this he did not onely profeſſe verbally to the Committee of Eſtates with the Scots Army, but alſo in his ſeveral Letters and Declarations under his hand to the Committee of Eſtates of Scotland, and to the two Houſes of the Parliament of England reſpective. In confidence whereof, and of the reality of his Intentions and Reſolutions, which he declared proceeded from no other ground than the deep ſenſe of the bleeding condition of his Kingdomes; The Committees of the Kingdom of Scotland, and general Officers of the Scotish Army declared to himſelf and to the Kingdom of England, their receiving of his Royall Perſon to be on theſe termes (which is the truth, notwithſtanding what may be ſuggeſted or alledged in the contrair by any within or without the Kingdoms) And repreſented to him, that the only way of his own happineſſe and peace of his Kingdomes under God, was to make good his profeſsions ſo ſolemnely renewed to both Kingdomes. Thereafter not only were Propoſitions of Peace (which after ſerious and mature deliberation were agreed upon) tendered to him in the name of both Kingdomes for his Royall aſſent 66

thereto, but alſo all the ſupreame Judicatories of this Kingdome, both Civill and Eccleſiaſtick, made their humble and earneſt addreſſes to his Majeſty by ſupplications, Letters, and Commiſsioners for that end, and did freely repreſent all the prejudices and inconveniences of the delay or refuſall of his aſſent; and in particular, That this Kingdome would be neceſsitate to joyne with the Kingdome of England, conforme to the League and Covenant in providing for the preſent and future ſecurity of both Kingdomes, and in ſetling the Government of both, as might moſt conduce to the good of both. And the Parliament of Scotland being now according to the Treaty to retire their Army out of England, Have again for their further exoneration ſent Commiſsioners to repreſent their renewed deſires to his Majeſty, with the dangers may enſue by his delay or refuſall to grant the ſame, and that till then there was danger to the Cauſe, to his Majeſty, to this Kingdom, and to the Union betwixt the Kingdoms by his coming into Scotland, and that therefore there would be a joynt courſe tane by both Kingdomes anent the diſpoſall of his Perſon. And conſidering that his Majeſty by his Anſwer to the Propoſitions of Peace in Auguſt laſt; and alſo by his late Meſſage to the two Houſes (and by his warrand communicate to the Eſtates of this Kingdome) hath expreſſed his deſires to be near to his two Houſes of Parliament: And ſeeing alſo the Parliament of England have communicate to the Scotts Commiſsioners at Newcaſtle, and by them to this Kingdome, their reſolution, that Holmebyhouſe in the Countie of Northampton is the place which the Houſes think fit for the King to come unto, there to remain with ſuch Attendents about him as both Houſes of Parliament ſhall think fit to appoint, with reſpect had to the ſafetie and preſervation of his Royal Perſon, in the preſervation and defence of the true Religion and Liberties of the Kingdomes, according to the Covenant. Therefore the Eſtates of Parliament of the Kingdome of Scotland, and in regard of his Majeſties not giving a ſatisfactorie anſwer to the Propoſitions as yet, and out of their earneſt deſire to keep a right underſtanding betwixt theſe Kingdomes, to prevent new troubles within the ſame, to ſatisfie the deſire of his Majeſty, and the two Houſes of Parliament of England, and of this Kingdome, for his reſidence in ſome of his Houſes near the Parliament of England, and to prevent miſ-information, and to give ſatisfaction to all, Do declare their concurrence for the Kings Majeſties going to Holmebyhouſe, or ſome other of his Houſes in or about London, as ſhall be thought fit, there to remain untill he give ſatisfaction to both Kingdomes in the Propoſitions of Peace: And that in the interim there be no harme, prejudice, violence, nor injury done to his Royall Perſon: That there be no change of Government other then hes been theſe three yeares paſt: And that his Poſterity in nowayes be prejudged in their lawfull ſucceſſion to the Crown and Government of theſe Kingdomes. And as this is the clear intention and full reſolution of the Kingdome of Scotland, according to their intereſt and duety in relation to the Kings Majeſty, ſo they are confident (from the ſame grounds and manifold Declarations of the Parliament of England) that the ſame is the reſolution of their Brethren. And at ſuch a time they do expect a renewed Declaration thereof: And that they will give Brotherly and juſt ſatisfaction to the deſires herewith ſent. Likeas the Kingdom of Scotland, do hereby aſſure their Brethren in England, that it ſhall be their conſtant endeavour to keep, continue, and ſtrengthen the Union and Peace betwixt the Kingdomes, according to the Covenant and Treaties.

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DESIRES of the Kingdome of Scotland

1. THAT a Committee of both Kingdomes be appointed to attend his Majeſty, and preſſe him further for granting the Propoſitions of peace; And in caſe of his refuſall, to adviſe and determine what is further neceſſary for continuing and ſtrengthening the union betweene the Kingdoms, according to the Covenant and Treaties; And that no Peace nor agreement be made by either Kingdome with the King, without the other, according to the late Treaty betwixt the Kingdomes.

2. NEXT it is deſired, that ſuch of the Scottiſh Nation, as have place or charge about the King (excepting ſuch as ſtand excepted in the Propoſitions of Peace) may attend and exerciſe the ſame; and that none ſhall be debarred from having acceſſe to attend his Majeſty, who have warrant from the Parliaments of either Kingdome reſpectively, or from the Committee of either Parliament thereunto authorized.

3. IT is deſired, that the one Kingdome aſſiſt the other, in caſe they be troubled from within, or from without for this agreement.

4. That the Kingdome of England would ſpeedily condiſcend, and agree upon ſome competency of entertainement for the Forces which we are neceſsitated to keepe up, to ſuppreſſe the Iriſh Rebels, whom by the large Treaty they are bound to ſuppreſſe.

Edenburgh the 16.
of January. 1647.

Crawford & Lindſay
I. P. D. Parl.

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[A LETTER from the Parliament of Scotland to the Parliament of England.

Right Honorable,

OUR Commiſſioners at London and New-Caſtle, having received from the Honorable Houſes the Vote of the firſt of January, and communicated the ſame to Us; We have conſidered of it as a buſineſſe of very great concernment to both Nations, And therefore have reſolved upon the incloſed Declaration and Deſires; Whereby, it will appear how willing we are, to comply with the reſolutions of both Houſes; And how deſirous to remove all jealouſies, for ſtrengthning the Peace and Union and maintaining a good underſtanding between the Kingdoms, ſo firmly tyed by Solemn League and Covenant; And how confident, that they will ſatisfie our reaſonable deſires, And make the integrity of their proceedings and reſolutions in all this buſineſſe concerning His Majeſty, appear either by Declaration, or otherwiſe as in their wiſdom they ſhall think fit; whereby no occaſion of calumny may be left to the wicked Enemies of either Nation. And as God hath bleſſed the joynt endeavours of both, during our Armies abode in that Kingdom; So it will be a great encouragement for us to hope for the continuance of the ſame bleſſing in time coming, that our reſolution be known to be one at our removing, in relation to all the ends contained in our mutual League and Covenant; And if any difficulty occurre there (for gaining of time) we deſire, that the Honorable Houſes may be pleaſed to ſend particular Inſtructions to their Commiſſioners at New-Caſtle, with whom we ſhall authorize ours to concur for the juſt ſatisfaction of both Kingdoms; and we reſt

Edinbrugh the 16 of January 1647

Your affectionate friends Crawfurd and Lindſay.

I. P. D. Parl.

For the Right Honorable the Lords and Commons Aſſembled in the Parliament of England at Weſtminſter.]

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XIX JANUARII.

67 ACT Earle of Crawfoord Lindſey.

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68 ACT Major Generall Midletoun.

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69 ACT Francis Chivers.

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XXI JANUARII.

ACT Earle of Findlater. 70

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ACT Town of Breechin. 71

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XXII JANUARII.

ACT Lord Drummond. 72

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ACT in favours of George Bailie of Jervefwood. 73

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XXIII JANUARII.

ORDINANCE anent the anſwering of the Kings Majeſties letter, direct to the Earle of Crawfoord Theſaurer. 74

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XXV JANUARII.

ROLL of theſe perſons to whom Major Generall Middletoun hes granted Paſſes and Aſſurances. 75

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XXVI JANUARII.

ACT anent fining of appeirand Heires.

THE Eſtates of Parliament, Having tane to their conſideration the two Quæres underwritten, repreſented to them from the Committee for Proceſſe and Moneyes (with the opinion of the Grand Committee thereanent) viz. Whether or not ane appeirand Heir ſhall have allowance in his fine of the annualrents of ſuch ſummes as the Father hes burdened the Land with, by Infeftments which preſently payes no annualrent, and are to be payed when the appeirand Heir enters to the eſtate. 2. Whether or not Caſuall rent ſhall be compted as ane part of the rent, whereunto the appeirand Heire is to ſucceed to, and if he ſhould be fined accordingly, They after debate and voycing, Finde that the appeirand Heir ſhould have allowance in his fyne of the annualrents of ſuch ſummes as the Father hes burdened the Land with by Infeft- 76

ments before the Act of fyning, and which for the preſent payes no annualrent, but are to be payed when the appeirand Heir enters to the eſtate. And for anſwer to the ſecond Quære, Findes that in this particular concerning the Lord Seytoun, he may be fined in relation to the halfe of the Caſuall rent pertaining to his Father, conforme to the valuation thereof of the Shire where it is.

ACT anent theſe who hes gotten paſſe and aſſurance, and hes ſince joyned with the Rebels.

77 THE Eſtates of Parliament now conveened in this Sixth Seſſion of Parliament, Taking into their ſerious conſideration the great hurt and prejudice that may come to the good Cauſe now in hand, and to the peace of the Countrey, and what evil example it may be in time coming, if no farther aſſurance nor certification ſhall be put upon theſe wha hes comed aff the Rebellion upon Paſſe, and acted themſelves for their good behaviour, But onely the incurring of the penalties and ſummes under the which they are acted for their good behaviour, albeit thereafter they either have joyned, or ſhall joyne themſelves to the Rebels and Enemies of this Kirk and Kingdome, either perſonally, or by advice and correſpondence, or hes allowed, or ſhall allow their men to go with the Rebels. The ſaids Eſtates of Parliament for remeid hereof, and for encouraging of theſe who hes been faithfull and loyall to the Cauſe and Countrey, and to continue therein, and for terrifying of the others fra attempting and doing of any thing to the prejudice thereof, Findes, declares, ſtatutes and ordaines, that theſe who hes comed aff the Rebellion upon Paſſe, and acted themſelves for their good behaviour, and thereafter hes joyned, or ſhall joyne themſelves perſonally to and with the Rebels, the Enemies of this Kirk and Kingdome and peace thereof, are and ſhall be in the ſame condition, as if they had not gotten ane Paſſe, and that they have thereby forfaulted and tint the benefit of their ſaids Paſſe, as if the ſamine had never been granted to them. And alſe findes, declares, ſtatutes and ordaines, That theſe who hes comed aff the Rebellion upon Paſſe, and acted themſelves for their good behaviour, as ſaid is, and ſhall hereafter at any time within the ſpace of fifteen dayes after the publication of this Act at the Market Croſſes of Edinburgh, Aberdene, Dumbartan, Stirling, and Pearth, joyned themſelves to or with the Rebels by advice or correſpondence, or ſhall allow their men, tenants, or ſervants to go with the Rebels, ſhall likewiſe be in the ſame condition as if they had not gotten ane Paſſe, and that they have thereby forfaulted and tint the benefit of their ſaid Paſſe, as if the ſamine had never been granted to them. And declares the ſamine Paſſe in either of the caſes reſpective above-written, to be null and ineffectuell fra the beginning, and in time-coming, with all that hes followed, or may follow thereupon. And ordaines publick Proclamation to be made hereof at the market Croſſes of the Burghs reſpective above-written, that nane pretend ignorance of the ſamine.

XXIX JANUARII.

ACT anent the modelling of the Forces kept up for the ſervice of the Kingdome.

IT is ordained, That the number of Horſe to bee 78
kept up are to be twelve hundred, and thir Horſe are not to be Regimented, but put into ſeveral Troups, whereof none to be ſubordinate to another.

THE number of Foot to be kept up are to be fix thouſand, to be divided into ſeven Regiments, whereof two Hie-land Regiments, each whereof ſhal contain ane thouſand men, and conſiſt of eight companies; And the other five Law-land Regiments to contain eight hundred men apiece, and to conſiſt of fix companies.

THAT there be two companies of Dragooners, each company conſiſting of ane hundred men ſtrong.

THAT the Root-maſters, Captaines of Dragooners and Foot, and all ſuperior Officers of the whole Forces aforeſaid, Be nominate by the Parliament or Committee of Eſtates hereafter, when any of the ſame ſhall happen to vake.

THAT the Earle of Leaven be entruſted with the charge and Command of thir Forces, conforme to the Commiſſion and Inſtructions herewith ſent to his Excellence.

THAT Lieutenant Generall David Leſlie ſhall be Lieutenant Generall, and Generall Major John Middletoun ſhall bee Generall Major of the whole Forces Horſe and Foot to be kept up within this Kingdome.

THAT the foreſaids twelve hundred Horſe ſhall bee divided into fifteen Troups, each conſiſting of fourſcore Horſe effectivè, whereof three Troups to be commanded by the three Generall Officers aforeſaid, and the reſt by the Root-maſters after mentioned.

THAT five hundred and threeſcore Horſe bee taken out of the Regiments of Horſe preſently within this Kingdome, and ſix hundred and fourtie Horſe out of the Regiments of our Armie in England.

THAT the two companies of Dragooners bee taken out of the Army within this Kingdome.

THAT four Regiments of Foot, each conſiſting of eight hundred men divided into ſix companies, bee made up out of our Army in England, including Colonell Mauld his Regiment; And that the Committee at Newcaſtle and Lord Generall, conſider the proportion to bee raiſed out of each Regiment, excepting the Regiments that come from Ireland.

THAT one Captaine, one Lieutenant, and one Enſigne, may be named out of each Regiment, who are to have the charge of keeping together the number to be raiſed out of that Regiment; And that the Souldiers names be enrolled, and themſelves ingaged in the Service before they receive their Money or the reſt diſband.

THAT two Hie-land Regiments, and one Law-land Regiment of Foot be made up out of the Forces within this Kingdome and Gariſon of Berwick, and out of ſuch Hie-land men in Tullibardine his Regiment, as belong to the Lairds of Glenurquhie, Lawers, or Weymes.

THAT the Colonels underwritten are to ſerve as Colonels, under the command of the three Generall Officers abovementioned.

THAT the Root-maſters hereafter nominate ſhall at this preſent time alanerly chooſe their Lieutenants and other inferior Officers, by advice and conſent of the Generall Officers: And the Colonels of Foot chooſe their Captaines and other inferior Officers, by the advice and conſent of the ſaids Generall Officers at this preſent time alanerly, and that reſpectivè for England and Scotland, according to the diviſion after mentioned, and that the Regiments of Horſe and Foot reſpectivè, with all diligence ſhall be deſigned, out of the which the Colonels and Root-maſters ſhall have their Regiments and Troups: And in reſpect of the preſent occaſion within this Kingdome, ordaines a liſt of all the Officers now preſently within this Kingdom, to be given to Generall Major Middleton, to the effect, that he may call them together and go about to make up the Troups and Regiments of theſe Forces nominate within this Kingdom, and actively go about to ſet down the readieſt Concluſions for purſuance of this war againſt the common Enemies and Rebels.

THAT in reſpect there is ſeven Regiments of Foot, whereof the two Hie-land Regiments are to conſiſt each of a thouſand men, and that the other five Regiments conſiſting of four thouſand men are to contain each Regiment eight hundreth men: Therefore that there be three thouſand and two hundreth men choſen for making up of the foure Regiments of Foot out of our Army in England, and the other Regiment conſiſting of eight hundreth men, ſhall be made up of the Regiments in Scotland by the Hie-landers.

THAT theſe twelve hundreth Horſe to be kept up ſhall be divided in fifteen Troups, each conſiſting of fourſcore Horſe, whereof three ſhall be commanded by the three Generall Officers before mentioned, and their Troups to bee furniſhed out of our own Army in England.

WE have appointed Colonell Robert Montgomerie, Colonell Lockhart, Lieutenant Colonel Mungo Murrey, Colonel James Merſer of Adie, Colonell Keith of Ludquharn, Colonell Henry Barcley, and Major David Barcley, to be ſeven Root-maſters, who are to have their Troups out of the Regiments of the five hundreth and threeſcore Horſe to be taken of theſe Regiments now ſerving in Scotland.

WE have appointed Colonell Sir John Brown, Lieutenant Colonell Thomas Craig of Riccartoun, Colonell Hugh Fraſer of Kenneries, Lieutenant Colonell Strauchan of Thornetoun, and Lieutenant Colonell Gilbert Ker, to be five Root-maſters, who ſhall have their Troups furniſhed out of theſe ſix hundreth and fourty men to be furniſhed out of the Armie of England toward the Troups of the three Generall Officers, and the ſaids five Troups.

THAT each Troup be allowed to have two Trumpeters.

THAT the Marques of Argyle and Laird of Ardkinlas be Colonels of the two Hie-land Regiments (conſiſting of a thouſand men apiece, to be divided in eight Companies) With power to them to nominate their Lieutenant Colonels and all inferior Officers at this time alanerlie.

THAT for commanding the other five Regiments (each whereof is to conſiſt of eight hundred men, to be divided in ſix Companies) the Colonels, Lieutenant Colonels, and Majors underwritten, are nominate and elected by the Parliament, viz. Colonell Alexander Hammiltoun Generall of Artilerie, and his Lieutenant Colonell John Home, and Major James Innes, who are to be provided of their Regiment from theſe foot Forces now preſently within the Kingdome of Scotland.

ITEM, Generall Major James Howburn and his Lieutenant Colonell John Innes, and Major Meldrum. Item, Colonell Coline Pitſcottie, and his Lieutenant Colonell John Rouch, and Major John Tours. Item, Colonell Walter Scot, and his Lieutenant Colonell John Hadden, and Major Blair, Colonell William Stuart, and his Lieutenant Colonell David Weimes, and Major Agnew: All which four Colonels are to have their Regiments furniſhed and made up to them out of theſe three thouſand and two hundreth men to be taken out of our Army now preſently in England. And

that to the foreſaid Armie now preſently to be kept up in Scotland, Lieutenant Colonell Heugh Montgomerie be Generall Adjatant, and Generall Quarter maſter Innes to be ſtill Generall Quarter-maſter.

ITEM, That Lieutenant Colonell Patrick Blair, and Major William Sharp, bee the two Captaines of the two companies of Dragooners which are likewiſe to bee kept up in this Kingdome, and each of their companies is to be furniſhed from the Dragooners preſently within this Countrey, and to conſiſt of ane hundreth men, whoſe under Officers are to bee choſen by the adviſe of the Generall Officers within this Kingdome for this time allanerly.

ALSO it is ordained, when any Colonel, Lieutenant Colonel, Major, and Captaine of Foot, Root-maſter, or Captaine of Dragooners, ſhall be taken on in their charge, That they before they be admitted in Service, they ſhall give in ſufficient caution for obſerving and performing the conditions underwritten, and that the Committee within the Kingdome of Scotland, and with the Army in England, take the ſaid caution and good ſecuritie.

AND that the tenor of the caution bé as followeth.

1. THAT they ſhall conſtantly attend the Service with their Regiments, Troups, or Companies, either in the Hie-land, Ileland, or Lawland, as they ſhall have order, and ſhall not bee fourty eight hours from their charge, without a foreloffe from the Committee of Eſtates or commander in chief.

2. THAT they ſhall keep up their Troups and Companies in the juſt number before written, and no ſtronger, viz. The Troup of Horſe fourſcore, the Troup of Dragooners an hundreth, and the Company of Foot an hundreth threttie three.

3. THAT they keep their Troups, Companies, and Souldiers, from plundering any Horſe or other goods in the Countrey.

4. IF any Trouper or Souldier ſhall violent or hurt any perſon or plunder their goods, That the Colonell, Lieutenant Colonell, Major, Captaine, or Root-maſter, each of them reſpectivè, for their own Regiment, Troup, and Company, ſhall either ſatisfie the party offended, or preſent the offender to the Sheriffe of the Shire, Stuart of the Stuartie, Baillie of the Bailliarie and Regalitie, or Magiſtrates of the Burghs reſpectivè, where the fault is committed, or where the offender ſhall happen to be for the time, or ſhall execute martiall law upon the offender at the option of the complainer, which judges ſhall do juſtice upon the offenders as upon theeves, or for the like offences, and that as fully as if particular Commiſſion were given thereanent; For which purpoſe a Commiſſion is now paſt in Parliament warranding the Juſtice Generall, and Juſtice Deputes, and other Judges aforeſaid, to proceed to the trying and judging the Crimes abovementioned.

5. THAT the Officers aforeſaids ſhall not raiſe, feſſe, nor take Quarters for any men, but theſe whom they have effective, and that they take no money nor free Quarters for the men they have, without ſpeciall warrand from the Parliament or Committee of Eſtates.

6. THAT the Cautioner be obleiged abſolutely for reparation of the loſſes of the party offended, and under the paines following for the whole and every one of the Articles aforeſaid, viz. The Colonell of Foot, under the pain of ten thouſand merks, the Lieutenant Colonell of Foot, five thouſand punds, the Major to Foot, five thouſand merks, the Captain to Foot, a thouſand punds, the Root-maſter, ten thouſand merks, the Captain of Dragooners, five thouſand merks: And this Caution to be, beſide the caſſeiring of the Officers, and ſuch farther perſonall puniſhment to be inflicted upon him, as the Parliament or Committee of Eſtates ſhall think fit.

AND laſtly, It is ordained by the Parliament, that there ſhall be no further addition of Officers, ſuperior or inferior, nor alteration thereof, or of the Regiments and Troups then is formerly condiſcended upon.

. . . . . .

COMMISSION to the Earle of Leaven to be Lord Generall. 79

. . . . . .

INSTRUCTIONS to the Lord Generall. 80

. . . . . .

XXX JANUARII.

WARRAND for trying of Duke Hammiltoun his loſſes. 81

. . . . . .

WARRAND for trying of the loſſes of the Sherifdom of Lanerk. 82

. . . . . .

83 WARRAND to the Lord Regiſter for receiving of Cautioners from the Officers of the Armie.

. . . . . .

84 ACT Hector Banandyne of Kaimes.

. . . . . .

III FEBRUARII.

85 ACT Marques of Dowglas.

. . . . . .

86 ACT Lord Seatoun and Laird of Roſſaith.

. . . . . .

87 ACT Sir John Seatoun.

. . . . . .

88 ACT Laird of Blindlie.

. . . . . .

89 ACT Laird of Cromlix.

. . . . . .

90 ACT in favours of the Earle of Niddiſdale, reſtoring him againſt his Fathers Forfaltour.

. . . . . .

PROTESTATION Earle of Balcleuch there-againſt.

. . . . . .

[LETTER from Major General Middletone to the Parliament.

FOR the honorable Eſtates of the high Court of Parliament of the Kingdome of Scotland

My Lords and Gentlemen

THE tyme that the Caſtle of Blair wes rendered I could get none to vndertak the charge theirof till I preſt Captan George Campbell of Crunane þ^r^with who then willinglie embraced that charge And I beleiue ſince his entrie þ^r^to he hes behaued himſelff in ſuch a faithfull way as becam a man of his charge And þ^r^for if yor honors be mynded to haue a garriſon þ^r^ I muſt recommend him to yor Conſideratioun And becaus the garriſon p̃tlie þ^r^ is in great neceſsity I muſt likewiſe deſire that ſome Courſe may be thought vpon for þ^r^ preſent supplie And that Crunane may be returned with all expedition

I muſt likewiſe recommend to yor Care and diſcretioun / Colonell George Milne governo^r^ of dundee who left his charge in England and Cam home for þe seruice of this Countrey And all this tyme past hath receaved only one monethes pay And becaus he can haue no charge in þe feilds ſince the Governo^r^ of St Johnſtoun is to haue charge in þe Army That yee wald be pleaſed to think vpon that place for him becaus he is of knowne ſufficiencie.

I haue nothing to add bot that I am

My lords and gentlemen

Yo^r^ ho / moſt faithfull and moſt

Ed^r^ firſt februarij obedient ſervant

1647. JO MIDDLETONE

3. ffeb^rij^ 1647

Red in awdyence of Par^t^ at ed^r^ And Remitted to the Grand Cõmitty]

. . . . . .

IV FEBRUARII.

ACT for the Officers of the Earle of Caſſels Regiment. 91

. . . . . .

ACT Lord Herreis Reſcinding his Forfaltour. 92

. . . . . .

V FEBRUARII.

ACT Lieutenant Generall David Leſlie. 93

. . . . . .

ACT anent the 500 l. Sterling advanced by the Town of Edinburgh. 94

. . . . . .

ACT anent the disbanding of the Regiments of Horſe. 95

. . . . . .

ACT anent the disbanding of the Regiments of Foot. 96

. . . . . .

ORDER of Parliament for making up of the Troups and Foot Regiments of the new modelled Forces. 97

. . . . . .

VI FEBRUARII

98 ACT anent the Election of the Magiſtrates of Aberdene.

. . . . . .

IX FEBRUARII

99 ACT and Ratification Maſter Robert Dalgleiſh.

. . . . . .

X FEBRUARII.

ACT for advancing ane Moneths Maintenance for disbanding the Army.

100 THE Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament, Taking to their conſideration the preſent neceſſity of Money for disbanding the Regiments of Horſe and Foot that are not to be keeped up, and for payment of the aſſignements for the Service at Philiphauch, and providing Magazines of Victuall for the Forces to be keeped up: And finding no readier way for getting Money for this effect, than to ordain a full Moneths Maintenance to be preſently payed by the Shires and Burghs of the Kingdome; Therefore the ſaids Eſtates do hereby enact and ordain, That a full Moneths Maintenance be up-lifted, and payed by the whole Shires and Burghs of the Kingdome, ilk Shire and Burgh according to their own proportion and quantity, exceptand the Lands and Burghs poſſeſſed by the Enemy, or burnt, or waſted, or which are exeimed from payment of Maintenance by warrand of Parliament: And ordaines the ſaids whole Shires, and Burghs of the Kingdome to make payment, ilk one of them for their own parts and proportions, of ane full Moneths Maintenance, according to the quantities and proportions, for ilk Shire and Burgh, to Collector appointed by the Eſtates for receiving thereof, as followes, viz. Theſe Shires and Burghs be-South the water of Dee, betwixt and the twentieth day of February inſtant; and theſe Shires and Burghs be-North Dee, at the rates and dyets to be appointed by the generall Act of Maintenance, and as ſhall be preſcribed by the ſame Act. And it is hereby declared, in reſpect the ſummes preſently impoſed by this Act upon the Shires in part of payment to ſome Shires of their Maintenance, is onely for the preſent occaſion, while the Act of Maintenance be fully eſtabliſhed: That therefore the ſame ſummes now impoſed, ſhall bee payed out of the Lands which are not poſſeſſed by the Enemy, nor have been burnt nor waſted by the Enemy, nor our own Forces, or the Plague, ſo that the Heritours thereof are diſabled there-through to make payment of their ſeverall proportions impoſed upon the ſaids Lands; Providing the ſame do not exceed the proportion due by any Heritour by the Act of Maintenance at Saint-Andrewes. And alſo the Eſtates Ordaines the Commiſſioners of the Shires and Burghs, for this Seſſion of Parliament, to acquaint the Committees of War of the ſeverall Shires, and Magiſtrates of Burghs reſpectivè, for providing and paying of their proportionall parts of the foreſaid Moneths Maintenance, betwixt and the day and times reſpectivè above-ſpecified, appointed for that effect. And the ſaids Eſtates declares, That who ſhall failzie in payment thereof, betwixt and the times foreſaids (except ſuch as before excepted) ſhall be Quartered upon, while the payment of their own proportions: And ordaines the foreſaids Moneths Maintenance to be ſent by the Committees of War of the ſeverall Shires and Magiſtrates of Burghs, to their Commiſſioners of Parliament reſpectivè, to be delivered by them to the Collector foreſaid, to bee appointed by the Eſtates for that effect. And to the effect the ſaids Moneths Maintenance may be the more readily and timouſly payed, The Eſtates gives hereby warrand to the Committees of War of the ſeverall Shires, to appoint ſuch numbers of Horſe and Foot of their own Shires, to Quarter upon the deficients in Burgh or Land of their Shires, for payment of their proportionall parts of the ſaids Moneths Maintenance, as the Committee of War ſhall think fit, ay and while they make payment of their proportionall parts of the foreſaid Maintenance. And becauſe theſe ſummes which are reſtand unpayed of the aſſignements to the Regiments at Philip-haugh, muſt be preſently payed to theſe Regiments, before they will disband, The Eſtates do therefore ordain the particular ſummes and ſynes reſpectivè after-mentioned, to be preſently advanced and payed by thir Burghs, Shires, and perſons following, to the Regiments under-written, viz. The ſumme of 31766 l. 13 s. 4 d. To the Lord Generall, the Lieutenant Generall, and Major Generall Middleton their three Regiments, to be payed as followes, to wit, By the Sheriffdome of Berwick, 3555 l. By the Burgh of Lawder, 45 l. By the Sheriffdome of Roxburgh, 5778 l. By the Burgh of Jedburgh, 126 l. By the Sheriffdome of Selkirk, 1278 l. By the Burgh of Selkirk, 126 l. By the Sheriffdome of Pebles, 1638 l. By the Burgh of Pebles, 108 l. By the Sheriffdome of Lanerk, 5382 l. By the Burgh of Lanerk, 162 l. By the Burgh of Glaſgow, 1530 l. By the Burgh of Rutherglen, 45 l. By the Sheriffdome of Fyfe, 6642 l. By the Burgh of S. Andrewes, 780 l. By the Burgh of Dyſert, 270 l. By the Burgh of Kirkaldie, 600 l. By the Burgh of Cowper, 216 l. By the Burgh of Anſtruther eaſter, 180 l. By the Burgh of Pettinweyme, 120 l. By the Burgh of Dumfermline, 162 l. By the Burgh of Bruntiland,

206 l. By the Burgh of Carrail, 216 l. By the Burgh of Kinghorne, 108 l. By the Burgh of Anſtruther weſter, 54 l. By the Burgh of Innerkeething, 90 l. By the Burgh of Kilrynnie, 27 l. By the Sheriffdome of Linlithgow, 1746 l. By the Burgh of Linlithgow, 324 l. By the Burgh of Queensferrie, 108 l. By the Sheriffdome of Edinburgh principall, 134 l. 13 s. 4 d.

ITEM, to the Earl of Dalhouſies Regiment the ſum of 7001 l. 13 s. 4 d. whereof by the Sheriffdome of Hadingtoun, 3384 l. By the Burgh of Hadingtoun, 324 l. By the Burgh of Dumbar, 180 l. By the Burgh of Northberwick, 36 l. And by the Sheriffdome of Edinburgh principall, 3077 l. 13 s. 4 d.

ITEM, To Colonel Fraſers Regiment 10050 marks, whereof 7000 marks by the Laird of Blindlie, in full ſatisfaction of his fine of 10000 marks; And the other 3050 marks by the Sheriffdome of Drumfreis, out of the firſt and readieſt of the 4446 l. payable by that Shire.

ITEM, To the Lord of Kirkudbrights Regiment, 12963 l. whereof the ſum of 10000 l. to be payed by the Lord Herries, for reſcinding of his forefaulture, and in ſatisfaction of his contravention of 10000 marks, for his good behaviour, for the which the L. Kirkudbright is caution, and 2963 l. by the Sheriffdome of Wigton, and Stuartry of Kirkudbright.

ITEM, To the Lord Montgomeries Regiment, 992 l. 6 s. 8 d. by the ſaid Sheriffdome of Drumfreis.

ITEM, To the Lord Cowpers Regiment the ſum of 4266 l. 13 s. 4 d. whereof 4000 l. by the Sheriffdome of Perth. 108 l. by the Burgh of Culros. 148 l. by the Sheriffdome of Kinros. And 14 l. 13 s. 4 d. by the Sheriffdome of Edinburgh, which with 10000 marks aſſigned to that Regiment, for the Earle of Nithiſdales forefaulture, compleats their moneths aſſignement for Philip-hauch.

ITEM, To fourtie Troopers of Colonell Barkleyes Troop, for a moneths pay, at 14 s. per diem, 840 l. and 48 l. for a moneths pay to a Lieutenant, and 36 l. for a moneths pay to a Cornet, to be payed by the Sheriffdome of Edinburgh, which compleats the Moneths Maintenance for that Shire, except 33 l. 13 s. 4 d. which yet reſts thereof.

ITEM, To the Lord Balcarras 15000 marks, in compleat payment of his former precept of 10000 l. granted to him at Perth, and in ſatisfaction to him and his Regiment, of the ſumme aſſigned to them by the Act at Glaſgow: And ordaines this ſumme to be payed out of the firſt and readieſt of the ſuperplus of the foreſaid Moneths Maintenance, now ordained to be advanced, and not aſſigned or otherwiſe deſtinate to bee payed in manner before rehearſed.

WHICH particular ſummes reſpectivè abovementioned, the Eſtates ordaines to be preſently advanced and payed by the preſent Commiſſioners for Shires and Burghs, and perſons reſpectivè abovenamed, to the foreſaids Regiments and others reſpectivè above-deſigned: And ordaines the ſaids Commiſsioners for Shires and Burghs, to be repayed of the foreſaids ſums, hereby ordained to be advanced by them, as ſaid is, by their ſaids Shires and Burghs, with the annualrent thereof, from the time of their advancement while the repayment: And ordains the like execution to be direct at their inſtance, for their relief and payment, as is appointed to be direct for payment of the foreſaid Moneths Maintenance to the publick, by poinding and diſtreinzeing of the Shires, Burghs, and perſons deficients for the ſame: And the Eſtates declares, That the particular ſummes above-written, ſhall bee allowed to the Burghs and Shires payers thereof, in payment of the foreſaid Moneths Maintenance ordained to be uplifted from the whole Shires and Burghs of this Kingdome.

XI FEBRUARII.

ANSWER of the Parliament to the Remonſtrance of the Church.

THE Eſtates of Parliament now conveened in 101
this ſixth Seſſion of the firſt Trienniall Parliament, Having ſeriouſly conſidered the Remonſtrance of the Commiſſioners of the Generall Aſſembly preſented to them; Do with all thankfull acknowledgement receive the pious and ſeaſonable admonitions and exhortations therein contained, and return to their particular deſires this following Anſwer.

1. THAT they do hereby ordain all Acts already paſſed for puniſhing of vice and advancing of vertue, to ſtand in force, and be put to due execution, Recommending the ſame to all the Miniſters of juſtice whom it concernes. And that they are yet ready to enact any further new Lawes and Ordinances neceſſary for that purpoſe, having appointed a Committee for Acts and Overtures to meet with M. James Robertoun the Juſtice Depute at all convenient occaſions, for receiving and conſidering the deſires and Overtures of the ſaid Commiſsioners, and to prepare a report of their opinions therein to the Parliament with all diligence.

2. THAT they have been ever carefull to perſerve that Band of Union between the Kingdomes, and to proſecute the work of Uniformity according to the Covenant, ſtill reſolving zealouſly to ſtudy the ſame. That they have yet again made their humble addreſſes to his Majeſty for ſigning the Covenant, and ſatisfying the deſires of his Parliaments

of both Kingdomes; All which their Inſtructions to their Commiſſioners at London and Newcaſtle, and their Letters to the Parliament of England do ſufficiently expreſſe: And what further is to be done in relation to theſe particulars, ſhall be communicate to the Commiſsion from time to time, that they may joyntly concur according to their place and vocation for proſecuting thereof.

3. TOUCHING the particulars concerning theſe perſons brought off the rebellion, by the Generall Major thereunto warranted; That the publick faith ſo given unto them is not to be violated: But for the better ſecuring the peace and quiet of the Kingdomes, Theſe perſons brought off the rebellion are hereby appointed to give ſuch further affurance of their good and regular behaviour in time-coming, and for keeping the Peace as is conform to the former Lawes and Practiſes; And in the mean time that ſuch of them and others acceſſary to the rebellion, and under cenſure of Church and State, whom the Committee thereunto appointed ſhall think fit, be commanded off Town, And that an Act and Proclamation be drawn by that Committee, and ſpeedily expedited and prepared for the Parliament to that effect: Ordaining further, that the ſaids perſons brought off the rebellion, and any others guilty of the crimes mentioned in the firſt Claſſe of the Act at S. Andrews, ſhall not be admitted to ſit in any publick Judicatories, nor enjoy and exerce any Offices or Places of truſt Civill or Military, during the time of theſe troubles, and longer during the pleaſure of the Parliament, without prejudice to perſons who have heritable Offices, to nominate and appoint by the advice of Parliament, Committee of Eſtates, or Secret Councell, fit perſons, againſt whom there is no juſt exception, to be their Deputes in theſe Offices. And it is alſo hereby declared, that theſe perſons brought off the rebellion, are not to be in a better condition than other Subjects, But that they are and ſhall be lyable & ſubject in payment of all Loans, Taxes, Monethly Maintenance, and of their proportions for Leavies of Foot and Horſe, at the rates and prices ſet down by Acts of Parliament, or Committee of Eſtates, or Committees of War in Shires where they have intereſt reſpective; And of all other publick burdens, impoſitions, and duties whatſomever, for all yeares bygone, and in time coming, as fully and in the ſame manner as any other perſon is or hath been ſubject thereunto.

4. THAT all the former Lawes and ordinances againſt excommunicate perſons, are hereby appointed to ſtand in full force and vigour, Recommending to every one whom it concerns, to put the ſame to due execution: And what ſhall be found further neceſſary from the Parliament, to make that dreadfull ordinance of God, ſenſible to ſuch obſtinate offenders, And to have due regard and reverence from all, is to be conſidered by the ſaid Committee, to whom the Overtures of the Commiſsion to that purpoſe are referred; and after return of their report, The Parliament will take the ſame to ſpeciall conſideration.

5. THAT they are very ſenſible of the diſtreſſes of the Province of Argyle, and have already provided ſome means for their preſent ſubſiſtance and relief, Reſolving ſtill to take further courſe for their help and ſuccour, and to proſecute the War againſt the Rebels, not only there, but in all the parts of the Kingdome.

6. THAT the buſines of Ireland is carefully recommended to the grand Committee; wherein, after the reſult of their conſultations ſhall be returned, they are to take ſome ſpeedie and effectuall courſe accordingly.

7. THAT they judge it moſt juſt and reaſonable, that the Judicatories of the Kirk be preſerved in their integrity and authority, That inſolencies againſt them be exemplarly puniſhed, And that particular ordinances be drawn for that purpoſe, which is hereby recommended to the ſaid Committee of Overtures.

8. THAT they have recommended to the Generall Officers, to puniſh the inſolencies and diſorders of Souldiers committed before this time; and for preventing the like hereafter, They are to conſider the report of the great Committee, and to take courſe how the Officers that are to have command, may give affurance for reſtraining and redreſsing ſuch inſolencies and diſorders for time to come.

AND the Eſtates of Parliament hereby Statute and Ordain, That the particular Ordinances, Declarations and Anſwers above-expreſſed, ſhall have the ſtrength and authority of Acts, Declarations, Anſwers, and ordinances of Parliament conform to the tenours and natures thereof reſpective.

. . . . . .

ACT Vicount of Airdrie. 102

. . . . . .

TWO Acts anent the marching and proviſion of the Earle of Louthian and Lord Sinclars Regiments. 103

. . . . . .

ACT Earle of Leaven contra Lord Naper. 104

. . . . . .

XII FEBRUARII.

105 ACT and Ratification in favours of Sir John Gibſone of Alderſtoun Knight.

. . . . . .

XIII FEBRUARII.

106 ACT for tranſporting of the Kirk of Dunſcore.

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XVI FEBRUARII.

107 ACT appointing Sir John Weemes of Bogie to bee Generall Commiſſar.

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XVII FEBRUARII.

RATIFICATION of the Act anent the diſtribution of the 5000 l. Sterling, to the Lame Souldiers, and to the Widows, and Orphans of the deceaſt Souldiers.

108 THE which day Sir Adam Hepburn of Humbie, for himſelf, and in the behalf of the remanent Commiſſioners ſent from the Parliament to Newcaſtle to the Kings Majeſtie, for repreſenting to his Highneſſe the particulars contained in the Commiſſion and Inſtructions given to them, and for diſtributing, with advice of the Generall Officers of the Army and Governor of Newcaſtle, of the Two hundred thouſand pound Sterling that came down from London to the Armie, conform to the Commiſſion and Inſtructions given to them thereanent, Produced and Exhibite in Parliament the Act underwritten, whereof the tenor followeth.

AT ALNICK 6. February 1647.

FORSAMUCH as we are intruſted and authorized by the Parliament for diſtributing the two hundred thouſand pound Sterling come from London, proportionably amongſt all the Regiments of the Armie Horſe and Foot, who have ſerved in England, as well theſe who have been broken in the Service as theſe who are yet ſtanding, And being alſo intruſted and authorized to give a proportionable ſhare, not only to the living but to the Widows and Orphans of the dead, who ſerved in England; Therefore having already appointed a due proportion for all the dead Officers, And taking to conſideration how we might beſt acquite ourſelves in the diſcharge of that dutie, which in appointing ſome proportionable payment for the Lame, and Widows, and Orphans of the dead Souldiers, after ſpeciall advice had with the Generall Officers of the Army thereanent; Have nominated and appointed the ſumme of Five thouſand Pound Sterling, to be diſtributed amongſt the lame Souldiers, and the Widows and Orphans of the dead; And conſidering that it is impoſsible to attain to a juſt and exact accompt of the names and number of the forenamed Souldiers, and of their Widows and others having intereſt in them, Do after ſerious pondering of the Lame and ſlain of the Regiments, come from the ſeverall Shires, nominate and appoint the proportion following, viz. For the Sheriffdoms of Aberdene and Bamff 120 l. Sterling. Sheriffdom of Mearns 100 l. Sterling. Sheriffdome of Forfar 250 l. Sheriffdome of Pearth 600 l. Sheriffdom of Fyfe and Kinroſſe 750 l. Sheriffdoms of Sterling and Clackmannan 200 l. Sheriffdom of Lanerk 300 l. Sheriffdoms of Renfrew and Air, proportionably amongſt them two 900 l. Sheriffdom of Wigtoun and Stuartrie of Kirkudbright 350 l. Sheriffdom of Drumfries 200 l. Sheriffdom of Peebles 50 l. Sheriffdom of Berwick 200 l. Sheriffdom of Roxburgh and Selkirk 350 l. Sheriffdome of Haddingtoun 260 l. The Burgh of Edinburgh 50 l. Sheriffdome of Linlithgow 60 l. Sheriffdome of Edinburgh to Landward 260 l. —— Summa 5000 l. Which proportion we ordain to be delivered unto the preſent Commiſſioners of the Parliament, or any of them of each Shire and Burgh, who upon the receipt thereof ſhall give Notes to the effect after-ſpecified, And give warning to the ſeverall Preſbyteries in their reſpective bounds for cauſing every Miniſter of their number to bring into the Preſbyterie from their ſeverall Seſſions an exact Roll of all common Souldiers belonging to their ſeverall Pariſhes, of the abovenamed Regiments, Companies, Troups of Horſe or Foot, that have been lamed or are dead in the ſervice; And that this Roll ſhall be teſtified by any of the Officers of the field, Captain or Rootmaſter, under whom they ſerved, to be reviſed and approven by the ſeverall Preſbyteries reſpective, and made uſe of as after followeth; That is to ſay, Each Preſbytery of every Shire ſhall chuſe a Ruling Elder of their number to whom the ſame ſhall be delivered, which Ruling Elders are hereby authorized to meet with the Commiſſioners of Parliament of the ſeveral Shires and Burghs, at the head Burgh of the Shire or Stuartrie of Kircudbright, upon a day appointed by the ſaids Commiſſioners immediatly after the receipt of the Preſbyteries diligence made unto theſe Commiſſioners; And in the ſaid meeting one or moe as they ſhall finde expedient of the Commiſſioners of the Shires and Burghs, and theſe Elders, ſhall diſtribute the ſumme appointed for their Shires proportionably amongſt the ſeverall Preſbyteries, according to the number contained in the Rolls, and the rules of the proportion to be as followeth, viz. Ilk Souldier as he

ſerved on Horſe or Foot, to have proportionably according to his ſtanding in the ſervice, allowing as much for the firſt ſix moneths from January 1644. to the moneth of June thereafter, as for fifteen moneths thereafter. And although we truſt and be confident, that in a buſineſſe of this nature every man will be faithfull and diligent, as he would ſhun the curſe of the Almighty God, and procure his bleſſing, who is a defender of the Poor, Fatherleſſe, and Widow; Yet for obſerving order and regulating enormities (if any ſhall be) It is hereby appointed, That all the Committees and Preſbyteries aforeſaid, ſhall make report of their diligence unto the Parliament, or Committee of Eſtates, or any nominate by them for that effect. And we do hereby further declare, That none who were Runawayes, or who have at any time joyned with the Enemy, ſhall have the benefit of this Article.

Sic ſubſcribitur.

Leven, Balcarras, David Leſlie, Hepburne, Ruthven of Frieland, Ja. Holburne, William Glendoning.

WHICH Act being publickely read in audience of the Parliament, And the ſame, with the particular Diviſion and Diſtribution therein mentioned, Heard and Conſidered by the Eſtates of Parliament, They Ratifie, Approve, and Allow the ſame, In the whole particular heads and Articles thereof, In all points conform to the tenor of the ſaid Act, with the procedor of the Committee thereanent: And doe hereby interpone the authority of Parliament thereto, And ordaines the ſame to have the force, ſtrength, and effect of an Act of Parliament, and returns hereby publike thanks to the Army, and this preſent Act to be Printed and publiſhed.

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XIX FEBRUARII.

PROTESTATION Earle of Calendar.

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109 ACT in favours of Lieutenant Generall King Lord Ythan.

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XX FEBRUARII.

ACT anent the nine Moneths Maintenance for the Armie, and Retention of ane and a half of the Hundred for the Anualrent.

110 THE Eſtates of Parliament now conveened, in this ſixth Seſſion of the firſt Triennall Parliament, Taking to their ſerious conſideration the long continuance of the preſent rebellion of our unnaturall Countrey-men, and of the invaſion from the Iriſh, and the great expences that they muſt ſuſtaine for ſuppreſſing of the ſame, and carrying on of the War; and how neceſſary and incumbent it is to them, that ſome ſolide and ſetled way be provided for the conſtant Maintenance of the Forces, Horſe and Foot; Have therefore concluded, that ſix thouſand Foot, twelve hundred Horſe, two hundred and ten Dragooners, ſhall bee intertained and keeped upon pay, towards the proſecution of the War againſt theſe Rebels and Invaders, untill the ſame, by the bleſſing of the God of Hoſtes, be brought to an happy end; Have therefore thought fit to ſtatute and ordain, Likeas for that effect they enact and ordain, that ilk Shire and Burgh within this Kingdome, ſhall bee lyable and oblieged, in payment of the particular ſums of Money, and that Monethly, and with the Suſpenſion underwritten, for the intertainment of the Forces, Horſe, Foot, and Dragooners abovewritten, and that for the ſpace of nine Moneths, (whereof the moſt part of the firſt Moneth is already aſſigned by a former Act, towards the payment of the Regiments which ſerved at Philiphauch) beginning the firſt termes payment from the tenth of January laſt by-paſt, and ſo forth, after the expiring of that Moneth, to continue for other eight Moneths thereafter, untill the tenth of October next enſuing. But becauſe the moſt part of that Moneths maintenance is either aſſigned or payed, and that the Forces abovementioned is ordained to pay all their intertainment, and take no free Quarters, which the Eſtates have ordained to be refounded unto them at the end of the Moneth, after their ingagement: Therefore it is ſtatute and ordained, that for payment of their bygone Moneth, the Shires and Burrows ſhall readily pay, and deliver to Sir John Weemes of Bogie General Commiſſar, and Collector of this Kingdome, who is hereby appointed to pay the Regiments their ſeverall proportions of Monethly maintenance, according to the diviſions after following, that portion of the ſaid firſt Moneths maintenance not formerly aſſigned, and alſo to pay and deliver unto him the whole other eight Moneths maintenance, and that Monethly, beginning the payment for the ſecond Moneth upon the firſt day of March, for payment of the preſent Army, betwixt the tenth day of February, to the tenth day of March, in reſpect the ſaid interveening dayes, are the leaſt which can be allowed for in-gathering of this maintenance, and ſo forth Monethly thereafter from each firſt day of the Moneth to another, during the continuance of this preſent maintenance, except what is ſuſpended in manner aftermentioned.

FOLLOWES the ſums payable by the Shires, which is underwritten, and that Monethly, by the ſpace of nine Moneths, from the tenth of January laſt by-paſt, to the tenth of October next to come,

viz. Orkney of Monethly pay, 1143 l. Innernes, 4176 l. Caithnes, 945 l. Cromartie, 99 l. Sutherland, 423 l. Nairn, 315 l. Elgin, 1890 l. Aberdeen, 6543 l. Bamfe, 1431 l. Kincardine, 1566 l. Forfar, 5004 l. Pearth, 8001 l. Fife, 6642 l. Striveling, 2538 l. Kinroſſe, 144 l. Clackmannan, 522 l. Edinburgh, 4167 l. Linlithgow, 1746 l. Hadingtoun, 3384 l. Berwick, 3555 l. Roxburgh, 5778 l. Selkirk, 1278 l. Pebles, 1638 l. Lanerk, 5382 l. Air, 6066 l. Wigtoun and Stuartrie of Kirkcudbright, 4374 l. Drumfreis, 4446 l. Renfrew, 2205 l. Dumbartan, 1233 l. Argyle, 2907 l. Bute, 459 l.

FOLLOWS the ſums payable Monethly by the Burrows, conforme to their taxt Roll, viz. Edinburgh, 5175 l. Perth, 810 l. Dundie, 1200 l. Aberdene, 1260 l. Striveling, 240 l. Linlithgow, 324 l. S. Andrews, 780 l. Glaſgow, 1530 l. Air, 342 l. Hadingtoun, 324 l. Dyſert, 270 l. Kirkcaldie, 600 l. Monroſe, 324 l. Cowper, 216 l. Anſtruther eaſter, 180 l. Drumfreis, 270 l. Innernes, 450 l. Breechen, 120 l. Irwing, 252 l. Elgine, 135 l. Jedburgh, 126 l. Kirkcudbright, 80 l. Wigtoun, 135 l. Pettinweyme, 120 l. Dumfermline, 162 l. Dumbartan, 162 l. Renfrew, 90 l. Lanerk, 162 l. Aberbrothok, 81 l. Bruntiland, 216 l. Pebles, 108 l. Carrail, 216 l. Kinghorn, 108 l. Tayne, 90 l. Selkirk, 126 l. Anſtruther weſter, 54 l. Culros, 90 l. Dumbar, 180 l. Bamfe, 72 l. Whithorn, 45 l. Forfar, 27 l. Rotheſay, 60 l. Forres, 54 l. Rutherglen, 45 l. Northberwick, 36 l. Culane, 27 l. Narne, 36 l. Lawder, 45 l. Innerkeithing, 90 l. Kilrynnie, 27 l. Annand, 30 l. Lochmaben, 18 l. Sanquhare, 27 l. Galloway, 9 l. Dingwall, 18 l. Queensferrie, 108 l. Dornoch, 10 l.

AND for the better inbringing and collecting of the foreſaids ſums of Money, for payment and intertainment of the forces abovewritten, as well Officers as Souldiers, The Eſtates of Parliament Nominates and Appoyntes the ſaid Sir John Weemes of Bogie General Commiſſar, Theſaurer, or Collector of this Kingdome for the ſaid Army, with power to him to appoint Deputes one or moe in each Shire: And that other Collectors in ſuch Burghs and Pariſhes be appointed by him in ſuch like manner, as is contained in the Act of Loan and Taxt; which Collector-deputes as wel of Shires as Pariſhes, and Clerks of Shires for that effect, ſhall have ſuch Fees as is allowed in the Act of Convention, made anent the in-gathering of the Loan and Taxt, and that to be uplifted out of the ſaid Shires and Pariſhes within the ſame, by and attour the Monethly maintenance, and the Burghs to bee free, in reſpect they collect their proportions upon their own charges; And with power to the ſaid General Commiſſar and Collector foreſaid, to appoint a Clerk of Collection whom he ſhall be pleaſed to nominat, and for whom he ſhall be anſwerable: Which Clerk of collection ſo to bee appointed by him, Shall have the ſum of two hundreth Merks Sterling, to be payed out of the ſaid Monethly maintenance for his paines and charges which hee muſt undergoe in collection of the Moneths maintenance above written: And it is Declared, and Ordained, That the Letters and Charges to follow upon this preſent Act, for implement of every Head and Article thereof, ſhall bee raiſed and direct at the inſtance of the ſaid Sir John Weymes Generall Commiſſar and Collector foreſaid, againſt the Subcollectors of Shires, Magiſtrates of Burrows, Collectors of Pariſhes, Heritors, Fewars, Liferenters, and others adebted in payment of their ſeverall proportions of the maintenance now impoſed, with reſervation of the ſuſpenſions underwritten, in the ſame manner, and with the ſame proviſions and certifications as is contained in the Act of convention of Eſtates made for the Loan and Taxt, and that they have Letters of relief as is ordained by the ſaid Act of convention.

AND for the more ſpeedie ingathering of this Maintenance: It is ordained, if any Shire, Burgh, or Perſon therein deſigned, be deficient in paying of their Monethly proportion, That the ſaid Generall Commiſſar ſhall have Power, Authoritie, and Warrand, to raiſe in each Shire eight or ten Troupers to be intertained at the ordinary rates, and preſent eſtabliſhment to be payed to them by the deficients, by and attour their proportionable Maintenance; And ordaines the Committee of War within each Shire reſpective, to be aiding and aſſiſting to the ſaid Theſaurer, both in furniſhing of Troupers, and inbringing the Maintenance: Or otherwiſe, The Eſtates of Parliament hereby gives him power to require Orders from the Generall Officers, that they would command ſuch a number of their neareſt lying and adjacent Souldiers, Horſe or Foot, as he ſhall demand, to repaire unto him and be directed by him, for inbringing and uplifting of that proportion of the ſaid Maintenance which ſhall not be readily payed, and theſe to have free Quarters by direction of the ſaid Generall Commiſſar or his Deputes in the ſeverall Shires, upon the Deficient Shires, Burghs, or Perſons, ay and while they make ready payment of their part of the ſaid Maintenance: And the Eſtates ordaines the Generall Officers, to readily anſwer the ſaid Theſaurer his deſire foreſaid.

AND becauſe it is conceived by the Eſtates of Parliament, That ſundry Shires or parts thereof, or Burghs, are burnt, waſted, or ſo ruined, That they are not able to make reall and ready payment of the aforeſaid ſummes impoſed upon them for the Maintenance; Therefore untill ſome tryall be made of their true condition, They have thought fitting to grant ſuſpenſion: Likeas, they hereby do ſuſpend the exaction of the particular ſummes underwritten from the Shires and Burghs following, in manner, and conforme to the limitations aftermentioned, viz. From the Shireffdome of Innernes

2000 l. From the ſheriffdom of Sutherland, 200 l. From the ſheriffdome of Nairne, 315 l. From the ſheriffdome of Elgine, 1000 l. From the ſheriffdome of Aberdene, 6543 l. From the ſheriffdome of Bamf, 1431 l. From the ſheriffedome Kincardine, 400 l. From the ſheriffdome of Forfar, 500 l. From the ſheriffdome of Pearth, 3000 l. From the ſheriffdome of Sterling, 1200 l. From the ſheriffdome Kinroſe Shire, 72 l. From the ſheriffdome of Dumbartan, 633 l. From the ſheriffdome of Argile, 2907 l. From the ſheriffdome of Bute, 459 l. Item, for the Burrows, viz. From Pearth, 500 l. From Aberdene, 1260 l. From Sterling, 80 l. From Innernes, 450 l. From Breechen, 120 l. From Elgine, 80 l. From Dumbartan, 162 l. From Bamf, 72 l. From Rotheſay, 60 l. From Culane, 27 l. From Nairne, 36 l. From Taine, 45 l. From Forfar, 27 l. From Forres, 54 l. From Dornoch, 18 l.

OF the which ſums immediatly abovewritten hereby ſuſpended, It is declared, That the Generall Commiſſar or his Deputes, ſhall ſute no exaction nor payment before the tenth of May next to come for ſuch Shires and Burrows as are beſouth the water of Dee, and the tenth day of June next for the Shires and Burrows benorth the water of Dee, Betwixt and the which time the Shires and Burghs who have not already taken out Commiſſions, are appointed hereby to take out Commiſſions from the Parliament, or any Committee eſtabliſhed or to be eſtabliſhed by them, for cognition of the loſſes direct to ſuch as they reſpectivelie ſhall nominate to try and report; That the Lands and Burghs are burnt and ſo waſted, that they are totally diſabled to pay rent, or if they bee able to pay any rent, that they ſhall pay proportionable Maintenance, which ſhall bee reported to the Parliament or their ſaid Committee; That accordingly as they allow or diſallow thereof, the foreſaid ſuſpended part of the Maintenance may be payed or diſcharged. And incaſe of the delay or failzie of the Commiſſioners for Shires and Burghs, to take out the ſaids Commiſſions and make the report before the daies prefixed, The Generall Commiſſioner is hereby warranted to charge them for the whole Maintenance, without conſideration of the foreſaid ſuſpenſion: And for the greater evidence herein, It is ordained, that betwixt and the firſt of April next to come, the valuers of theſe Shires, whereof any part of the Maintenance is preſently ſuſpended, Shall deliver to the ſaid General Commiſſar, or any Collector whom he ſhal appoint in each Shire reſpectivè, a particular liſt and accompt of theſe Lands, whereupon that part of the Maintenance preſently payable without ſuſpenſion is impoſed: With certification to the ſaids valuers in caſe of failzie of performance hereof before the ſaid day, They ſhall be ſubject in payment of that part of the Maintenance, which is payable without ſuſpenſion.

ITEM, It is ordained, That the Moneths Maintenance payable betwixt the tenth of Februar laſt by paſt, and the tenth of March next to come, Shall bee really payed, without any deduction for Quarterings in that time, But that the Quarterings of the new modelled Army and no others diſbanded, ſhall bee allowed in the firſt end of the maintenance for the ſubſequent Moneths after the ſaid tenth day of March, and that the ſame ſhall be deduced and diſcounted by the Generall Commiſſar to the Heritors, Fewars, or Liferenters of the firſt of their Maintenance, payable by them reſpectivè, after the ſaid tenth day of March, and thereafter to bee charged by the ſaid Generall Commiſſar upon the Regiment accounts, for the Moneths ſubſequent to the ſaid tenth day of March: It is alwayes provided, That theſe Quarterings ſhall bee proven and inſtructed, conforme to the Acts of Parliament made or to bee made thereanent.

FURTHER it is enacted, ſtatute and ordained, That every debter ſhall have retention from the Creditor of the quantity of one and a halfe of each eight payable for anualrent; So that the debter ſhall onely be lyable in payment of ſix and an halfe of anualrent of ilk hundreth of Stock, and that from the terme and time of Lambmeſſe, 1646. To the terme of Lambmeſſe next to come, 1647. And ſo forth proportionably thence to the laſt day of October next thereafter following; With this declaration and proviſion alwayes, That no perſon Debter whatſoever, ſhall have the foreſaid benefit of retention, who ſhall not pay his anualrent to the Creditor within the ſpace of ane year out run, after that ane preceding years anualrent is fully reſtand awand unpayed: And it is declared hereby, That whatſomever Debter hath been payed their anualrents at eight per centum before the date hereof, at the feaſts of Martimeſſe, or Candlemeſſe now laſt by paſt, Shall have deduction of the Creditor in their next tearmes anualrent, of ſo much as is ordained by this preſent Act to be deduced from Lambmeſſe laſt bygone, to the ſaid time of the payment of the ſaid anualrent: And it is alſo hereby ſpecially provided, That whatſoever Creditor ſhall take hereafter, Band, Promiſe, or Condition from his Debter, for payment to him of the hail anualrent at eight per centum, without retention or allowance of the ſaid deduction of the ane and a halfe for the hundreth, during the time preſcribed by this Act, Or ſhall not grant the retention foreſaid, Shall be conveened and cenſured as ane uſurer, notwithſtanding of any ſuch paction by word or writ.

AND ſicklike, It is Declared, Statute, and Ordained, That no retention of this preſent Maintenance ſhall be granted for any Debts, Cauſe, or Occaſion whatſomever, and that no exemption other nor is abovewritten for burnt or waſted Lands, as is formerly expreſt, ſhall be granted from this preſent

Act and Ordinance to any Perſon or Perſons; Except onely for Lands, Rents, Anualrents, and other duties mortified to Colledges, Schooles, Hoſpitals, Miniſters and Schoolmaſters Stipends, and for upholding Kirks and Bridges; But that all other Heritors, Liferenters, Takſmen, Titulars, Proper-Wodſetters, Penſioners, Conjunctfiers, Ladytercers, and others ſubject to the valuation within Shires and Burghs, ſhall be lyable to their proportionable part of this Maintenance, conforme to the Act already made hereanent in this Seſſion of Parliament, of the date the tenth day of December laſt bypaſt: And that the Lands and Teinds ſhal pay as they lye locally in Shires or Burghs, Conform to the Act of convention for the Loane and Taxt, and former Act of Maintenance.

AND laſtly, Where there is any wrong done in valuation, The ſaids Eſtates appoints the valuers of each Shire or Quorum thereof, or of ſo many as are on life, and not cenſurable by the Act of Parliament anent the Claſſes, To meet and rectifie the ſame at any time and place as they ſhall appoint: Declaring alwayes, That this warrand for a new valuation ſhall be no hinderance nor diminution to the Maintenance preſently impoſed: and where there is not a full Quorum of the valuers on life and not cenſurable, That the number be ſupplied by the Parliament or Committe of Eſtates. And for the Burrows part, it ſhall be rectified and changed according as their Taxt Roll ſhall be altered, there being no diminution of the totall ſumme: And further, It is ordained, That no ſuſpenſion be granted without conſignation, as is appointed by the Act of Maintenance of the 27 of Februar, 1645. And that all Heritours within Burghs and Pendicles and Liberties thereof (including for Edinburgh as Pendicles thereof, the Houſes Tenements and Yeards, in Leith, Cannongate, and Pleaſance, Whereof the Town is either Proprietors, or Superiors, and for the other Burrows all that hath beene in uſe to bee Taxt with them) Shall contribute with them for payment of the Maintenance, conform to thir two clauſes of the ſaid Act, which are holden as inſert and repeated in this preſent Act; But prejudice of the Lords of Seſſion their priviledges, conforme to the former Acts of Maintenance: And ordaines this preſent Act to be Printed: As alſo, Ordaines the foreſaid Act of the convention of Eſtates, anent the Loane and Taxt to bee reprinted.

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111 RATIFICATION to Maſter John Cant.

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XXIII FEBRUARII.

112 WARRAND to the Town of Edinburgh anent Captain Denneſtoun.

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ACT Laird of Libertoun. 113

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ACT Laird of Fintrie. 114

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ACT Laird of Arkinglas. 115

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XXIV FEBRUARII.

ACT Earle of Eglingtoun. 116

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XXV FEBRUARII.

ACT anent the eſtabliſhment and pay of the Armie.

THE Eſtates of Parliament now conveened in 117
this ſixth Seſſion of the firſt Triennall Parliament, Having taken to their conſideration the overtures repreſented to them by the Generall Officers of theſe Forces, now to be imployed anent the particulars aftermentioned, concerning the good of the ſervice, and proviſion and pay of the Officers and Souldiers.

FIRST, The Eſtates ordaines and appoints, That there be ſeven Miniſters ſent with the ſeven Regiments of Foot, and three Miniſters for the Generall Officers and Troups of Horſe, which being recommended to the Commiſſion of the Kirk, they promiſed to provide Miniſters accordingly.

2. THE Eſtates ordaines the Generall Commiſſar or ſome ſuch of his Deputes as he ſhall appoint, to remain conſtantly with the Army.

3. THE Eſtates ordaines foure moneths proviſion of Meal to bee preſently provided for the Foot Armie, which they eſtimate at two pound of Meal in the day to ilk Souldier of ſix thouſand, To twelve thouſand bols Meal: And appoints the places for keeping the ſame Magazine of Meal, to be in Inuernes, Dundie, Pearth, Blair of Athole, Dumbartoun, Inuerary, and Dunſtafnage, According to this proportion, viz. Two thouſand bols Meal at Inuernes, foure thouſand bols at Dundie, Pearth, and for the Blair of Athole, two thouſand bols at Dumbartan, two thouſand bols at Inuerary, and two thouſand bols at Dunſtafnage: And in the meane time ordaines theſe three thouſand bols Meal which the Lord Humbie declares is come from England, to be received by the Generall Commiſſar or his Deputes, and ordaines him to

provide Ships and Barkes for tranſporting and ſending of two thouſand bols thereof to Inuernes, and a thouſand bols to Sutherland: And the Eſtates ordains the Lord Humbie to be payed of his ſuper expences of his Scots accounts, conforme to the Act of Parliament granted to him for aſſurance thereof; Which they ordain to ſtand and have effect for his payment, notwithſtanding of any act made or to be made in the contrare, which the Eſtates hereby declares ſhall no wayes derogate to the Lord Humbie his Act and payment.

4. THE Eſtates Ordaines the Generall Commiſſar to cauſe provide ſick reaſonable number of Pans as ſhalbe neceſſar for the Foot Souldiers.

5. THE Eſtates nominates, appoints, and ordaines General Major Holburn to be Generall Major of the Regiments of Foot, under Generall Major Middletoun, who is Generall Major both of Horſe and Foot, And ordaines Generall Major Holburne to receive orders from the ſaid Generall Major Middletoun.

6. BECAUSE intelligence is neceſſar, and it is uncertaine what ſhall bee deburſed by the Commander in chief upon intelligence: The Eſtates ordains that what ſhall be given upon account as deburſed by the Commander in chief upon intelligence, to be repayed to him.

7. THE Eſtates ordaines that there be threeſcore twelve Souldiers out of every Regiment of ſix Regiments of Foot commanded to carry Halberts, with back, breaſt, and head-peeces, and allowes to every one of theſe two ſhillings Scots of pay daily, more then the ordinar Foot Souldier gets, providing they conſtantly carry their Arms foreſaid for the ſervice as they ſhall get orders, otherwiſe they are not to get this augmentation: And recommends to the General of Artillerie the furniſhing of thir men with the Armes above ſpecified.

8. THE Eſtates ordaines the Wives and Children of the Rebels, Enemies to the Kingdome (except ſuch Children are as forisfamiliat, and Wives and Children as have not adheared to the courſes of their Huſbands and Fathers that are in the rebellion) to be ſent to their ſaids Husbands and Fathers where ever they march.

9. THE Eſtates ordaines the Wives or Children of the deceaſt Souldiers in the Service to get payment of their arreares.

10. THE Eſtates ordaines ane Committee to be appointed, to think and condiſcend upon ſome courſe for ſupply of the lame Souldiers in the Service.

11. THE Eſtates ordaines the Lieutenant Generall his Dragooners to be keeped up, and made up threeſcore ten ſtrong, and reduces the other two Companies of Dragooners to the like number, viz. Ilk one of them to threeſcore ten.

12. THE Eſtates for the good of the Service and ſubſiſtance of the Officers and Souldiers, Ordaines and appoints that there be ane Proveſt Marſhall, with his Executioner to be appointed for the Army.

13. THE Eſtates gives power to the Generall Officers by themſelves, to' give Battell to the Rebels, and to purſue all advantages againſt them, as the ſaids Generall Officers who commands in chief upon the place ſhall think fit.

14. THE Eſtates allows ane baggage Horſe upon ilk twenty Souldiers, with ane man for ilk two baggage Horſe; And appoints the man to have daily five ſhillings for himſelf, and four ſhillings for the baggage Horſe daily for the Moneths of March and April, and thereafter two ſhillings daily for the baggage Horſe, And modifies fiftie Merks for the price of the baggage Horſe, to be given to the Colonel of the Regiment, and delivered by him to the Captaines of the ſeverall Companies, who are hereby ordained to uphold the ſaids baggage Horſes; And ordains the Generall Officers to view the baggage Horſes that they bee anſwerable to the foreſaid price, and the numbers thereof made up.

THE Eſtates for encouraging the Officers and Souldiers, and for the good of the Service, Ordaines that the haill Officers to Horſe and Foot ſhall have full Scottiſh pay, And the Trouper foureteene ſhillings daily, the Foot Souldier five ſhillings daily in Victuall and Money.

ITEM, The Dragooner ſhall have ten ſhillings daily, And the Officers to the Dragooners to have a third more nor is expreſt in the Act of Parliament of the 19 of November, 1646.

ITEM, The Eſtates allows to the Quarter-maſter Generall, To have ane Root-maſters pay, with allowance alſo to him of ane Lieutenant, who is to have the pay of ane Lieutenant to Horſe.

ITEM, The Eſtates allows to the Adjutant ane Root-maſters pay.

ITEM, The Eſtates allows three Chirurgians to the haill Troups of Horſe, and ane Chirurgian to each Regiment of Foot, As alſo allows ane Smith to each Troup, And allows three Sadlers for the haill Troups.

Follows the eſtabliſhment of the pay to the Officers and Souldiers Horſe and Foot.

ANE Colonell of Foot per menſem, 333 l. 6 s. 8 d.
Lieutenant Colonel of Foot per menſem, 200 l.

Major of Foot per menſem, 133 l. 6 s. 8 d. Regiment Scriver per menſem, 30 l. Regiment Quarter-maſter per menſem, 45 l. Miniſter per menſem, 40 l. Chirurgian per menſem, 45 l. Drummer Major per menſem, 18 l. Proveſt Marſhall per menſem, 18 l. Six Captaines of Foot per menſem, 600 l. Six Lieutenants of Foot per menſem, 270 l. Six Enſignes of Foot per menſem, 216 l. Twelve Serjeants per menſem, 180 l. Six Captains at Armes per menſem, 90 l. Eleven Drummers per menſem, 132 l. Eight hundred common Souldiers at 5 s. per diem, is per menſem, 6000 l.

ANE Root-maſter per menſem, 150 l. Lieutenant to Horſe per menſem, 67 l. Cornet per menſem, 54 l. Quarter-maſter per menſem, 45 l. Three Corporalls per menſem, 108 l. Two Trumpeters per menſem, 60 l. Fourſcore Troupers at 14 s. per diem, is per menſem, 1680 l. Ane Smith to each Troup per diem, 18 s. Three Sadlers to the haill Troups, to each Sadler per diem, 18 s.

ANE Captaine of Dragooners per menſem, 101 l. 5 s. Enſigne to the Dragooners per menſem, 45 l. Lieutenant of Dragooners per menſem, 56 l. 5 s. Two Serjeants per menſem, 51 l. Three Corporals per menſem, 67 l. 10 s. Ane Drummar per menſem, 22 l. Threeſcore ten Dragooners at 10 s. per diem, is per menſem, 1050 l. Item, allowing ane Secretar to each of the Generall Officers, And appoints to the Secretar for the Generall, and Lieutenant Generall, to each of them 100 l. per menſem, And to the Generall Majors Secretar per menſem, 100 Merks.

Follows the eſtabliſhment of the pay for the Generall Commiſſar and his Deputes.

TO the Generall Commiſſar per menſem, 1000 Merks. To ane Depute Commiſſar for proveant per menſem, 240 l. To ane other Depute Commiſſar for keeping the Caſch per menſem, 360 l. To ane ſervand for keeping the Caſch and Book per menſem, 72 l. To two ſervants under the proveant Maſters, each ſervant of them per menſem, 60 l.

AND the Eſtates appoints and ordaines the Generall Commiſſar and his Deputes, to bee Muſter-Maſter of the haill Forces, And that they doe exact dutie thereuntill; And that this bee inſert in the Generall Commiſſars Commiſſion.

Follows the traine of Artillerie and pay thereof.

AND ſicklike, The Eſtates having taken to their conſideration, the train of Artillerie and proviſion thereof, They ordain and appoint, ane hundred and twenty Horſe for carrying of Ammunition, field Pieces, Piltardes, and materialls: and modifies the price of each of the Horſes to 40 l. inde 4800 l. Item, Threeſcore men, being ane for each two Horſe, at the rate of ane Trouper, which is per diem to each man and two Horſe 14 s. Item, They ordain that John Forreſt Bowyer be agreed with for three thouſand Pickes, that the ſame bee preſently headed, and remits to the Committee for moneys, and Generall Commiſſar to agree with John Forreſt, and ſatisfie him for the ſame.

ITEM, Concerning the Magazine, and keeping thereof, The eſtates appoints that the Caſtle of Edinburgh ſhall be the place where the ſame ſhall be keeped, and remits to the Committee for moneyes to conſider of the keepers, and condiſcend upon their allowance.

ITEM, The Eſtates finds it neceſſar that 600 or 400 Halberts be provided, and deſires the Town of Edinburgh, and the reſt of the Burrows to provide the ſame; and ordaines Archibald Sidſerfe to make ſearch for the ſaids Halberts, And ordaines the Generall Commiſſar to take order for payment thereof: And ordaines, that proviſion be preſently ſent to the Blair of Athol.

ITEM, The Eſtates Ordains, That ſix Field Pieces be ſent to the Randevous at Montroſe, with Ball and other furniture: And that new carriages be provided and ſent to the five Pieces which are at Fyve, with Ball correſpondent, which will be ſufficient for the Service. And Ordaines Lieutenant Colonell Hammiltoun to go along to command the Train after-ſpecified, viz. Ane Gentleman or Quarter Gunner, Ane Cariage Maſter, the Commiſſar and Quarter-maſter to bee ane for all, with two Clerks, ſix Cannoneirs, and ſix Mates, two Work maſters, or Ingenires, ane Pittardeir, and a Servant, two Carpenters, and ane Cowper, a Smith, and two Myners, at the rate ſet down in the eſtabliſhment following, viz. The Lieutenant Colonell per menſem, 200 l. as Lieutenant Colonell, And ane hundred pound per menſem, for ane Captains pay. Item, To the Captain Commiſſar and Quarter-maſter, being all one per menſem, 100 l. To ane Gentleman or Quarter-Gunner per menſem, 45 l. To a Carriage-maſter per menſem, 45 l. To two Clerks, each of them per menſem, 22 l. 10 s. To ſix Cannoneirs each of them per menſem, 27 l. To ſix Mates each of them per menſem, 18 l. To two Work-maſters each of them per menſem, 24 l. To ane Pittardeir per menſem, 45 l. To his Man per menſem, 18 l. To two Carpenters each of them per menſem, 27 l. To ane Cowper per menſem, 27 l. To ane Smith per menſem, 27 l. To the Smiths Man per menſem, 12 l. To two Myners each of them per menſem, 27 l. To the Proveſt Marſhell per menſem, 45 l. To his Lieutenant per menſem, 30 l. To two Servants per menſem, 18 l. betwixt them, each of them 9 l. per menſem. And to ane Executioner per menſem, 12 l.

AND als the Eſtates of Parliament taking to their conſideration the Generall Officers their charges reſpectivè in the foreſaid Army, They appoint their pay and ſatisfaction to be as followes, viz. They Ordain and Appoint, the ſumme of ten thouſand merks to bee given and payed yearly to Alexander Earle of Leaven, Lord Generall, during the imployment of the Army againſt the Rebels, and if the Parliament or their Committee ſhall command his Excellence to go in Perſon to the Fields, his charges to be taken in conſideration.

ITEM, they ordain the Lieutenant Generall David Leſly, to have Ane thouſand pound Monethly, by and attour his penſion. Item, Ordaines Generall Major Middletoun to have twelve hundred merks Monethly; And ordaines Generall Major Holburn as Generall Major and Colonell, to have ane thouſand merks Monethly.

AND the ſaids Eſtates ordaines the preference of the command of the Troups to be ordered by the Generall Officer Commander in chief preſent for the time, as he ſhall think fitteſt for the ſervice and content of the Officers, according to the ſeverall occaſions of imployment, without Regimenting or putting of them in conſtant ſquadrons.

AS alſo ordaines the Generall Officers to reviſe the Articles of diſcipline of War, with advice of Maſter Robert Dowglas, M. Mongo Law, and ane Ruling Elder, in reſpect there is many particulars contained therein, which concernes the Church and Diſcipline thereof. And ordaines them to report to the Parliament.

Followes the rates and prices of Vivers.

AND laſtly, the Eſtates of Parliament, for eſchewing of Abuſes, and exacting of extraordinary prices fra the Officers and Souldiers, They modifie the prices following to be taken for the particulars afterſpecified, viz. For ane Bow Aits, 4 l. For Strae in the night, 2 s. and if they ſtay 24 hours to pay no more. And for Hay, 3 s. For the pint of Ale to be according as it ſells in the ſeverall places, or hes ſold before the Armies coming there, not exceeding ſixteen pennies. For oat-bread being 20 ounce, and wheat-bread 16 ounce, each of them 12 d. For ane ſheep on foot, the price 50 s. For the Bowk, 40 s. For the Lamb 18 s. For the Kid 20 s. For the Kow on foot 13 l. 6 s. 8 d. For ane pound of cheeſe 20 d. For the pound of butter 3 s. 4 d. And ordaines the milk to be of the price of the Ale. For ane Capon 6 s. For an Hen or Cock 4 s.

AND declares, that the Table above-written of the rates and prices above-ſpecified, is to be payed in the preſent tranſient Quarters to the Randevous, And thereafter to be rates and prices for the bounds benorth Tay: And to be changed as the Generall Officers and Committee with the Army (if there be Committee) ſhall think fit.

ACT againſt Run-awayes, and their Reſetters.

THE Eſtates of Parliament taking to their conſi- 118
deration the prejudice that the publike Service of the Kingdom is likely to ſuſtain, by the running away of theſe Souldiers, Horſe and Foot, that are inrolled in the Companies, Regiments, and Troups, now imployed and keeped up for the Service from their Companies and Colours, whereof they are inrolled as Souldiers and Troupers: The Eſtates for remeid hereof, do hereby Ordaine and Command all theſe Souldiers, Foot or Horſe, who are inrolled to be of the foreſaid new Army, keeped up and imployed for the Service of the kingdome; To repair to their ſeverall Troups, Regiments, and Companies reſpectivè, whereof they are Souldiers, betwixt and the ſixt day of March next to come, under the pain of death: And als, The Eſtates ſtatutes and ordaines, That whoſoever ſhall reſet any of the foreſaids Souldiers, Horſe or Foot, after theſe reſetters knowes the ſaids Souldiers to be inrolled as Foot Souldiers or Troupers of the foreſaid new Army, ſhall pay an hundreth pound Scots for ilk perſon reſet by them, To be up-lifted and imployed for the uſe of the Publike. And farther, The Eſtates ordaines the Perſons Reſetters to be ſeized upon, to ſupply the Service in place of the Run-awayes reſetted by them: And Ordaines the Commiſſioners for Shires and Burrowes, to acquaint the Committees of War of Shires, and Magiſtrates of Burghs herewith, and that they ſee thir preſents put to execution: And the Eſtates grants power to the officers of the Army, to do juſtice upon ſuch Run-awayes as they ſhal apprehend; And ordains thir preſents to be preſently Printed, and Publiſhed at the Market Croſſe of Edinburgh, and Copies delivered to the Commiſſioners of Shires and Burghs, to be Publiſhed at the Market Croſſes of the Head Burghs of the ſeverall Shires of the Kingdome, and Paroch Kirks within the ſame Shires: Which being ſo publiſhed at the ſaids Market Croſſes and Paroch Kirks, The Eſtates declares, ſhall have force and effect againſt all Reſetters of Run-awayes, after the foreſaid Proclamation hereof at the Market Croſſes and Paroch Kirks reſpectivè, where the Reſetters dwels, To make the Reſetters lyable for payment of the foreſaid ane hundreth pound for ilk Souldier reſetted by them.

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ACT and Proteſtation Earle of Erroll and 119
Town of Edinburgh, anent the deliverie of Captain Dennestoun to the Lord Generall.

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XXVI FEBRUARII.

120 ACT Laird of Ardkinglas Regiment.

. . . . . .

121 ACT and Proteſtation Earle of Erroll and Town of Edinburgh concerning John Simſon.

. . . . . .

XXVII FEBRUARII.

ACT anent the inbringing of the firſt two Moneths Maintenance.

122 THE Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament, Gives warrand and command to the ſeveral Collectors of Shires and Burghs under-written, viz. To John Falconer, for the Sheriffdome of Kincardine: To James Guthrie, for the Sheriffdome of Forfar: To Blair of Ardblair, for the Sheriffdome of Perth: To David Weemes of Balfarg, for the Sheriffdomes of Fife and Kinroſs: To Norman Levingſtoun Portioner of Falkirk, for the Sheriffdome of Stirling: To William Grahame of Hiltoun, for the Sheriffdome of Clakmannan: To M. Robert Hodge, for the Sheriffdome of Middle Lothian: To M. John Bruce of Vre, for the Sheriffdom of Linlithgow: To John Hepburn of Craig, for the Sheriffdom of Hadingtoun: To William Hume of Linthill, for the Sheriffdome of Berwick: To James Lithgow, for the Sheriffdoms of Roxburgh and Selkirk: To Cuthbert Smith, for the Sheriffdom of Pebles: To James Cuninghame of Coblehauch for the Sheriffdom of Lanerk: To William Wallace of Fail, for the Sheriffdom of Air: To Andrew Agnew, Appearand of Lochnaw, for the Sheriffdom of Wigtoun: To the Laird of Bargattoun, for the Stuartrie of Kirkeudbright: To William Levingſtoun, for the Sheriffdome of Drumfreis: To M. William Wallace, for the Sheriffdom of Renfrew: To William Noble Fear of Ardardan, for the Sheriffdom of Dumbartan: To for the Sheriffdom of Orknay To for the Sheriffdom of Inuernes: To for the Sheriffdome of Caithnes: To for the Sheriffdome of Cromartie: To for the Sheriffdome of Sutherland: To for the Sheriffdome of Nairn: To for the Sheriffdome of Elgine: To for the Sheriffdome of Aberdene: To for the Sheriffdome of Bamf, To ingather and uplift the two Moneths Maintenance, for the Moneths betwixt the 10. of January laſt, and the 10. of March next to come: And to deliver ſo much of the firſt Moneths Maintenance as is already aſsigned for disbanding of the Army, To the Commiſſioners of Shires and Burghs who have already under-taken for payment thereof, and to deliver the ſuperplus of the ſaid firſt Moneth not aſſigned, Together with the whole ſecond Moneths Maintenance to the Generall Commiſſar, And that betwixt and the 10. day of March next to come, That the ſame may be then delivered to the Army at their Randevouz, conforme to the former orders of Parliament. And for the ſaids Collectors more ſure and ſpeedy in-gathering thereof, The Eſtates gives power and warrand to the ſaids Collectors and every one of them, To raiſe eight or ten Troupers in every Shire, for poinding and diſtreinzing all Deficients and Delayers of payment of their parts of the two Moneths Maintenance above-ſpecified: And this with ſpeciall declaration, That the preſent nomination of Collectors for thir two Moneths, Shall be but prejudice to the Generall Commiſſar, to continue them in their charge, or nominate others in their places, for collection of all publike dues payable to him for all other Moneths, after the two Moneths above-expreſſed: And ordaines this preſent Act to be Printed and ſent to the foreſaids Shires and Burghs.

. . . . . .

II MARTII.

ACT Lairds of Glenurquhie elder and younger. 123

. . . . . .

ACT Lord Humbie and the General Commiſſar. 124

. . . . . .

III MARTII.

ACT Lieutenant Colonell William Hamiltoun. 125

. . . . . .

ACT in favours of the Earle of Mar, L. of Polmais and others. 126

. . . . . .

ACT Allan Dunlap anent 7000 bolls Meal. 127

. . . . . .

ACT in favours of the Scots captives in Argiers 128

. . . . . .

129 ACT for relief of theſe, bound to Sir William Dick for 200000 Merks.

. . . . . .

130 ACT L. of Lawers.

. . . . . .

131 ACT in favours of the Bairnes of the Laird of Haddo, Reſtoring them again their Fathers Forefaultour.

. . . . . .

IV MARTII.

ACT anent theſe excepted from getting Pardon or Conditions.

132 THE Eſtates of Parliament having taken to their conſideration what perſons are to be excepted fra getting Pardon or Conditions granted to them, The ſaids Eſtates findes and declares, That James Grahame ſometime Earle of Montroſe, is not capable of pardon: And that any power formerly granted to any Generall Officers, or to be granted hereafter to them or others, authorized by the Parliament, did never extend, nor ſhall hereafter be extended to pardon the ſaid James Grahame, and that there ſhall never be any Conditions granted to him, nor any Treaty or Capitulation with or for him. And ſicklike the ſaids Eſtates of Parliament, findes and declares, That Alaſter Macdonald ſhall have no Conditions: And likewiſe that James Gordoun ſometime Lord of Aboyne, ſhall have no Conditions: As alſo findes and declares, That George Gordoun ſometime Marques of Huntly, Lodovick Lindeſay ſometime Earle of Crawfurd, and Sir John Hurrie, ſhall have no Conditions granted to them, or any of them. But the Eſtates findes, That Lewes Gordoun ſon to the late Marques of Huntly, may have ſome Conditions.

. . . . . .

133 ACT for putting ſome priſoners to libertie.

. . . . . .

134 ACT Town of Dumbar.

. . . . . .

V MARTII

135 ACT Town of Inuernes.

WARRAND for ane Troup to the Generall Commiſſar. 136

. . . . . .

ACT in favours of the Generall Commiſſar. 137

. . . . . .

ACT Town of Dumbartan. 138

. . . . . .

ACT for deliverie of the 5000 l. Sterling to the Generall Commiſſar. 139

. . . . . .

ACT anent Garriſonning of Houſes. 140

. . . . . .

ACT anent the train of Artillerie. 141

. . . . . .

ACT L. Ballindalloch. 142

. . . . . .

ACT, relict and Bairnes of umquhile Alexander Pearſon. 143

. . . . . .

VI MARTII.

INSTRUCTIONS to Lieutenant Generall David Leſlie. 144

. . . . . .

ACT Sir John Brown and others. 145

. . . . . .

ACT Lord Balcarras. 146

. . . . . .

ACT Sheriffdome of Wigtoun. 147

. . . . . .

VIII MARTII.

ACT for eſtabliſhment of the Train of Artillerie. 148

149 ORDER anent directing of Letters from the Parliament to their Commiſſioners.

. . . . . .

IX MARTII.

150 COMMISSION Lieutenant Generall David Leſlie.

. . . . . .

151 ACT Ratifying the Maintenance of Perth Shire.

. . . . . .

152 COMMISSION to the Generall Commiſſar.

. . . . . .

X MARTII.

ACT and Commiſsion anent the Excife.

153 THE Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt triennial Parliament, taking to their ſerious conſideration, that the Maintenance already impoſed upon the ſeverall Shires and Burghs of the Kingdom, will not be ſufficient to entertain the Army which they are neceſsitate to keep up, for repreſsing of the Rebels and enemies of this Kirk and Kingdom, and for the incident charges of that Army; And finding no other way more juſt and equall, and leſſe prejudiciall to the Kingdome, for ſupply and making up the additionall charge for entertainment of the Army and incident charges thereof; Than the raiſing and uplifting of Moneyes by a regulate and well-ordered Excife. They therefore Statute and Ordaine, That the ſeverall rates of Excife after-ſpecified, Shall bee payed for all and every ane of the particular Commodities and others following, by and attour all Cuſtomes and others Dueties due and payable for the ſamine, viz. For ilk Boll of Malt Brewen in Ale or Beer ſtrong or ſmall, To bee payed by the Brewer thereof, 20 s. And the Brewers for their relief, ſhall have power to take up from the buyers for the Excife of ilk pinte of Ale or ſtrong Beer, two pennies, and of ilk pinte of ſmall Beer, ane penny. For ilk pinte of forraine imported Beer, to bee payed by the importer thereof, 12 d. For ilk pinte of French wine, 1 s. 4 d. For ilk pinte of Spaniſh Wine, Reniſh Wine, Canarie and Malvaſie, 2 s. 8 d. And the Eſtates enacts and ordaines, That the Excife of the Wines already in the Vintners hands, be payed by the Vintner Monethly after the ſame is ſold, And that the Excife of the Wines already imported and yet in the Merchands hands unſold or hereafter to be imported, Be payed by the Merchand importer thereof, within the ſpace of ane Moneth after the ſame ſhall be ſold by the Merchand, and the Merchand importer of the Wines, Shall have hereby power to take up the Excife thereof from the Vintners. For ilk pint of Aquavitæ or ſtrong waters made within the Kingdom, To be payed by the maker thereof, 2 s. 8 d. And for Aquavitæ and ſtrong waters imported, ſold, and made uſe of within the Kingdom, In reſpect the ſame is prohibite and ought to be confiſcate, To exact the Excife for ilk pinte thereof, 6 s. 8 d. Without prejudice of the confiſcation by the Kings Theſaurer and his Deputes according to former Acts. For ilk pound of Tobacco, To bee payed by the importer thereof, 2 s. For ilk Oxe, Kow, or Bull ſlain, of ſixteen pound price or above, To bee payed by the ſlayer thereof, 20 s. For ilk Oxe, Kow, or Bull, ſlain under ſixteen pound price, To be payed by the ſlayer thereof, 13 s. 4 d. For ilk Ox, Kow, or Bull exported, To be payed by the exporter thereof, 30 s. For ilk ſheep ſlain, To be payed by the ſlayer thereof, 2 s. For ilk ſheep exported, To be payed by the exporter thereof, 6 s. For ilk Stirke of eight pound price or above ſlain, To be payed by the ſlayer thereof, 6 s. 8 d. For ilk Stirke under that price ſlain, To be payed by the ſlayer thereof, 4 s. For ilk Stirke exported, To be payed by the exporter thereof, 10 s. For ilk Calf or Goat ſlaine, To be payed by the ſlayer, 2 s. For ilk Swine, 6 s. For ilk Lamb or Kid ſlain, To be payed by the ſlayer, 12 d. For ilk Lamb or Kid exported, To be payed by the exporter thereof, 2 s. For the imported Merchand wares afterſpecified, viz. All cloath, baiſes, freeſes, kairſayes, ſearges, and all other cloath and ſtuffe made of wool: As alſo for all ſorts of ſilk ſtuffes, worſet and hair ſtuffes, or mixt ſtuffes of linen and woollen, hats and hatbands of all ſorts, ſtockins of ſilk, worſet or threed, ſilk ribbins, pearling lace and paſements of ſilk, ſilver, gold, worſet or threed, hanks and pirns of gold and ſilver threed, cloath of gold and ſilver, cambrick, lawne, Holland cloath and ſtuffes, and all kinde of made work whatſomever, imported for ſale, for ilk Twenty ſhillings worth thereof, 12 d. (Excepting herefra, boots and ſhoone imported, which are declared to be Excife free) To be payed by the Merchand importer; The ane halfe thereof within three Moneths after the importing of the ſame, and the other half within three Moneths thereafter: And that the Merchand importer within the ſpace of fifteen dayes after the importing of the ſaids goods hereafter, Give up ane true entry thereof to the Commiſſioners, under the paine of confiſcation of what is not given up: And for what is already imported, that theſe perſons in whoſe hands the ſame is, within fifteen dayes after the proclamation hereof, Give up ane true inventar thereof to the ſaids Commiſſioners, under the paine of Confiſcation, and pay the Excife Monethly when the ſame is ſold, upon oath. For ilk Twelve pounds

Table of Excife.

worth of coals exported in Scots or Engliſh bottomes, To be payed by the Coal-maſter, 10 s. For ilk Twelve pounds worth of coals exported in forrain bottomes, To be payed by the Coal-maſter, 15 s. For all yarne exported either linen or woolen, for ilk Twenty ſhillings worth thereof, To be payed by the exporter, 2 s. For all Ruche hides exported, for ilk Twenty ſhillings worth thereof, To be payed by the exporter, 2 s. For ſheep-skins exported, for ilk Twenty ſhillings worth thereof, To be payed by the exporter, 12 d. For all wool exported, for ilk Twenty ſhillings worth thereof, To bee paid by the exporter, 2 s. Without prejudice of the confiſcation by the Theſaurer and his Deputes, Conform to the former Acts of Parliament. For ilk ſtaine of tallon exported, for the Exciſe thereof, 20 s. Without prejudice of the confiſcation thereof by the Theſaurer and his Deputes, Conform to the former Acts. Item, For ilk Twenty ſhillings worth of goat skins exported, 12 d. And for ilk Twenty ſhillings worth of buck and deir skins exported, 2 s.

AND the Eſtates declares, that the payment of the Exciſe abovementioned, for any of the particular commodities before rehearſed, which are prohibite and forbidden goods, to be exported, or imported, is and ſhall be alwayes but prejudice of the confiſcation thereof by the Theſaurer and his Deputes, conform to the former Acts made thereanent.

AND further, the Eſtates findes, declares, and ordaines, That the foreſaid Exciſe appointed to be payed for Ale, Beer, and Fleſhes, as is before ordained, ſhall onely be payable for that which is bought and ſold, and not for that which is Brewen and ſlain in mens own houſes for their private uſe and not for ſale: As alſo what is Brewen by Univerſities, or ſold to them for their drink, ſhall be likewiſe free of Exciſe.

WHICH Exciſe abovementioned, regulate in maner before rehearſed, and Collection thereof, The Eſtates declares, ſhall begin upon the twelfth day of March inſtant for the Wines, as alſo ſhall begin for all the other Exciſeable Commodities and goods foreſaids within the whole bounds both to Burgh and Landward upon the ſouth ſide of Tay, upon the twentieth day of March inſtant, And upon the thirtieth day of the ſaid moneth of March inſtant, for the whole bounds foreſaid upon the north ſide of Tay, and ſhall only continue and endure while the firſt day of January next, 1648. excluſive, after the beginnings thereof reſpective foreſaid.

AND the ſaids Eſtates, ordaines the ſumme of fourſcore thouſand merks per menſem, of the firſt and readieſt of the foreſaid Exciſe moneys during the ſpace abovewritten, to bee imployed to make up and ſupply the additionall charge of the entertainment of the Armie, and incident charges thereof, with the foreſaid Maintenance already impoſed: And ordaines the ſuperplus of the Exciſe moneys to bee imployed for payment of bygone Quarterings, the Gilders and ſilverwork yet unpayed, if any be, and for payment of the annualrents of the borrowed moneys addebted by the publike, upon publike ſecuritie: And ordaines the ſamine ſuperplus of the Exciſe moneys, to bee allowed for theſe cauſes reſpective, after compt and reckoning made thereanent, and after the ſaid ſumme of fourſcore thouſand marks per menſem, deſigned for the ſupply of the entertainment of the Armie, and incident charges thereof, ſhal be firſt compleatly payed per menſem.

Commiſsion for the Exciſe.

AND the ſaids Eſtates of Parliament finding it neceſſar that a Commiſſion be given to ſome able perſons who may have the ſole and onely ordering and managing of the ſaid Exciſe: They have nominate, appointed, and made choice of, And hereby nominates, appoints, and makes choice of David Earle of Southesk, and Robert Lord Burghley for the Noblemen, Sir Michael Balfour of Deanemylne, and Maſter George Dundas of Maner for the Barons, George Jameſon-Proveſt of Cowper, and George Gairden Burgeſſe of Bruntiland for the Burrows, to be Commiſſioners for the Exciſe. And the ſaids Eſtates do hereby give, grant, and commit full power, warrand, and Commiſſion, to the forenamed perſons, or any four of them, as a Quorum, there being one of ilk eſtate, to have the ſole and only ordering and mannaging of the Exciſe, And to nominate and appoint Collectors, ane or more for Presbyteries or Shires, as they ſhall think fitting, and to remove, alter, and change them alſe oft as need is, and to make and ſet down all ſuch Acts and ordinances as they ſhall finde neceſſar and expedient for the furtherance of the ſervice, and to ſee the ſame put to due execution; And to call for, and receive in, the compts of the whole Exciſe of this Kingdome, and to fit and allow the ſame, and to appoint and ordaine the whole Exciſe moneys to be payed and delivered in to James Stuart Theſaurer or Generall Collector of the Exciſe, who is onely to diſburſe and give out the ſame again, as he ſhall bee warranded by precepts direct to him by the ſaids Commiſſioners, and by theſe ſix of the Committee of Eſtates who are to be adjoyned to them as Commiſſioners with them, for ferming of the Exciſe, the Quorum of both joyned together for ferming & granting of the ſaids precepts, is hereby declared to be ſeven, there being two of ilk eſtate, To whom the ſaids Eſtates of Parliament do hereby give and commit the ſole and onely power of the granting and ſubſcribing of the ſaids precepts: With power alſo to the ſaid ſix Commiſſioners for the Exciſe, hereby nominate as ſaid is, or any four of them as a Quorum, there being one of ilk eſtate, to call before them all perſons who ſhall happen to

violate or tranſgreſſe any of the Acts and ordinances made or to bee made anent the Excife, or who ſhall happen to doe or offer any wrong or injurie to the Collectors, Meſſengers of arms, or any others perſons, who are or ſhall be imployed in the Excife, and to cenſure and puniſh them as their fault deſerves: As likewiſe to grant and direct forth letters of Horning, Poynding, Caption, & all other letters and executorials neceſſar and requiſite for payment of the ſaid Excife tak-duties thereof, and for the ſpeedy ingathering and uplifting of the ſamine, and for fulfilling of all Acts and ordinances made or to be made thereanent, and of the bands given, or to bee given by the Collectors and their Cautioners, or by the Fermers and their Cautioners, and in like manner to grant ſuſpenſions upon good reaſons of the charges of Horning to be uſed for payment of the Excife, and to decide and diſcuſſe the ſaids ſuſpenſions, and alſe to diſcuſſe, decide, and determine all actions, queſtions, and controverſies that may ariſe betwixt party and party, or betwixt any party and the Collectors or Fermers anent the Excife, and to pronounce decreet and ſentence therein, and to direct forth all Letters and executorials neceſſar and requiſite thereupon, and to do and perform every thing concerning the ſaid Excife, ordering and mannaging thereof.

AND ficklike, The ſaids Eſtates of Parliament do hereby give, grant, and commit to the ſaids Commiſſioners for the Excife, and to ſuch ſix of the Committee of Eſtates as ſhall bee deſigned and appointed by the ſaid Committee for that effect, viz. Two of ilk eſtate, whom the ſaids Eſtates of Parliament do hereby ordaine the ſaid Committee of Eſtates to nominate and deſigne, and who being ſo nominate and deſigned, are hereby joyned with the other ſix Commiſſioners abovenamed, to bee Commiſſioners for the Excife, in the matter of ferming and granting of precepts allanerly, or to any ſeven of the ſaids whole twelve Commiſſioners as a Quorum, there being two of ilk eſtate, full power warrand and Commiſſion to ſet in ferming the Excife of particular Burghs, Shires, Presbyteries, or Pariſhes, as they ſhall think fit, and the Excife of the whole Kingdome, in whole or in part, to ſuch perſons, and for payment of ſuch dueties, and upon ſuch conditions as may beſt conduce to the good of the publick, and can be had therefore, and to appoint dyets of roping for that effect, and to doe every thing neceſſar and requiſite thereanent.

AND alſo the ſaids Eſtates of Parliament, do hereby give, grant, and commit full power, Warrand, and Commiſſion to the ſix Commiſſioners abovenamed, herein nominate, or any four of them as a Quorum, there being ane of ilk eſtate as ſaid is, to call for all bygone Excife, ſo far as hath been uplifted by the Collectors, either to Burgh or Landward, and the Excife of the Wines, where the ſamine hath been taken by the Vintners, and to uſe all kinde of execution neceſſar, for ingathering thereof, and to diſpoſe and allow the ſame for the uſes expreſt in the Acts of Parliament alanerly, allowing alwayes the former aſſignements made by the Parliament in favours of any perſons, Burghs, or Shires: And ficklike, to receive in, fit, and allow the counts of the bygone Quarterings, with the Bands, Acts, and Warrants granted by the publick, for payment of the gudlenes, pryces of the ſilver-work, and other publick debts: And with power to the ſaids Commiſſioners or Quorum thereof abovewritten, as is abovementioned, to grant precepts and warrands for payment of the ſaids bygone Quarterings, gudlenes, and prices of the ſilver-work, (if any be owing) and anualrents of the moneys addebted by the publick, out of the bygone Excife, and out of the new Excife, now condiſcended to, The additionall ſums for entertainment of the Army, being firſt ſatisfied out of the ſaid new Excife, as is before preſcribed and ordained.

AND the ſaids Eſtates of Parliament do hereby ordain the foreſaid ſix Commiſſioners herein nominate, to attend conſtantly upon the charge and imployment hereby committed to them; And in reſpect of their conſtant attendance, The ſaids Eſtates modifies and appoints for them the Monethly allowance following, to be payed to them out of the ſaid Excife by the Theſaurer thereof, viz. To either of the ſaids two Noble men, two hundred pound per menſem, To either of the ſaids two Barrons two hundred merks per menſem, And to either of the ſaids two Burgeſſes the ſumme of foureſcore eight pound ſeventeen ſhillings eight pennies per menſem.

AND the ſaids Eſtates of Parliament, do hereby ordain and appoint Sir John Weemes of Bogie Generall Commiſſar for the Army, and James Stuart Theſaurer of the Excife, to bee ſupernumerarie in this Commiſſion, and to have place and vote therein.

Anent the collecting of the Excife, And the Collectors thereof.

AND where the Excife ſhall not be fermed, The ſaids Eſtates of Parliament do hereby ordain, That the way of the Collecting thereof, ſhall be as follows, viz. The ſaids Eſtates hereby gives power and warrand to the Magiſtrates and Councell of the royall Burrows, and ſuch as they appoint and be anſwerable for, to Collect and uplift the whole Excife within the bounds of their Burghs, Pendicles, and Liberties thereof, in manner and conform to the table of Excife, except what ſhall be fermed; And ordaines the ſaids Magiſtrates and Councell, and their Collectors, to do and uſe their exact and faithfull diligence thereanent, and to make count, rekoning, and payment of the whole Excife, within their Burghs, Pendicles, and liber-

ties thereof, to the ſaids Commiſſioners for the Exciſe, at ſuch times and dyets as they ſhall appoint for that effect: And for Landward, the ſaids Commiſſioners for the Exciſe have hereby power and warrand granted to them, to nominate and appoint Collectors, ane or mae as may be had, and as they ſhall think fit for ilk Presbytery or Shire who ſhall have power to ſubſtitute their Depute Collectors for Pariſhes as they ſhall finde neceſſar.

AND the ſaids Eſtates appoints and ordaines the Fee and allowance for the Collectors and their Deputes, alſe well to Burgh as Landward, for their paines and charges, ſhall bee ten for ilk hundred of the Exciſe, to bee Collected and counted for by them: And ordaines that the whole counts of the Exciſe, alſe well to Burgh as Landward, bee given up upon the oath and declaration of the Magiſtrates of the royall Burrows and their Collectors for the Burghs, and of the Collectors of the Shires or Presbyteries and their Deputes for Landward, that the counts are juſt and true, and nothing omitted nor concealed to their beſt knowledge, and that they have done their duty faithfully and honeſtly for the good of the publick.

ITEM, The ſaids Eſtates hereby grants power and warrand to the fermers of the Exciſe, and to the Collectors thereof and their Deputes, alſe well to Burgh as Landward, to enter the Sellers, Taverns, and Brewhouſes of theſe perſons lyable in payment of Exciſe, and to take up inventar of the Exciſeable goods being therein, that the Exciſe thereof may be the better known and uplifted.

Ale and Beere.

ITEM, The ſaids Eſtates ordaines, that all Brewers for ſale within this Kingdome, and all importers of forraine Beer, ſhall weekly deliver to the Collector of that bounds where the ſame is Brewen or imported, a true and perfit lift and inventar of the whole Malt ſo Brewen, and forraine Beer ſo imported, and weekly pay the Exciſe thereof, at the rates expreſt in the table of Exciſe, wherein if they failgie, It is ordained, that they ſhall bee lyable and ſubject in payment of treble Exciſe, and the failgie herein, to be proven by witneſſe, oath of party, or any other lawfull manner of way.

Maltmen & Millers.

ITEM, The ſaids Eſtates ordaines, that all Maltmen and Millers, alſe well to Burgh as Landward, ſhall weekly give up to the Collector of that bounds a true and perfit lift and inventar upon oath, of the quantity of the Malt made and delivered by ilk Maltman, and ground by ilk Miller, and the perſons names to whom, and to whoſe uſe the ſame is made & ground, (except ſuch Malt as ſhall be made and ground for private uſe without ſale, and Malt exported forth of the Countrey) wherein if they failgie, they being defired thereto by the Collector, the Maltman or Miller ſo failgeing, is hereby ordained to pay for ilk boll of Malt ſo concealed, the ſumme of fourty ſhillings money, to be uplifted by the Collector, and counted for by him in his accounts for the uſe of the publike.

ITEM, The ſaids Eſtates of Parliament, doe hereby give and grant power and warrand to the Fermers of the Exciſe, and to the Collectors thereof, to conveene the ſaids Maltmen, Millers, and Brewers before ſuch of the Committee of War of the Shire, as ſhall bee nominate by the Committee of War for that effect in Landward, and before the Magiſtrates within Burgh, or ſuch as they ſhall appoint, or in caſe of their omiſſion or not meeting before the Sheriffe of the Shire, Stewart of the Stewartrie, or Baillie of the Baillierie and their Deputes, for giving up of the ſaid Malt, ſo weekly made, ground, and Brewen by the ſaid Maltmen, Millers, and Brewſters, upon their oathes, Which ſhall bee brought in by the ſaids Collectors, with their accounts to the Commiſſioners for the Exciſe, for the better tryall of the quantitie of the ſaid Malt.

AND the ſaids Eſtates of Parliament do hereby authorize and ordain the Committees of War of the Shires, to nominate and appoint ſome two or three of their number in ilk quarter of their bounds in Landward: And alſo authorizes the Magiſtrates within Burghs, or ſuch as they ſhall appoint for taking of the oathes of the ſaids Maltmen, Millers, and Brewſters, and of the Fleſhers, and other perſons lyable in payment of Exciſe upon the quantity of the Malt made, ground, and Brewen, and of the Fleſhes, and others Exciſeable commodities, ſlain & vented within their bounds, to be reported under their hands by the Collectors, to the ſaids Commiſſioners, together with a perfect lift of the names of the whole Brewers, Fleſhers, and Vintners of Exciſeable Commodities within ilk Pariſh and Burgh, and the quantity of Malt, Fleſh, and other Commodities, Brewed, Slain, and vented by ilk one of them weekly, ſubſcribed by theſe of the ſaid Committee of Warre, who ſhall be deſigned for that effect for Landward, and by the Magiſtrates within Burgh.

Malt tranſported to the Hielands.

ITEM, It is ordained, that the Exciſe of the Malt tranſported to the Hielands which is to be brewen and ſold, ſhall be paid by the buyers and tranſporters to the ſellers thereof, notwithſtanding that they buy the ſame upon truſt; Which ſellers of the ſaid Malt ſhall pay the Exciſe thereof weekly as the ſame is ſold by them, and ſhall give a Ticket to the buyers and tranſporters bearing the Exciſe to be already payed, which being produced to the Collector where the buyers and tranſporters live ſhall liberate them of the Exciſe, otherwayes they ſhall be lyable in payment thereof.

Wines and Tobacco.

ITEM, The ſaids Eſtates of Parliament ſtatutes and ordaines, That all Merchands, Importers of Wines

and Tobacco, within the ſpace of ten dayes after the importing thereof for all Wines and Tobacco, hereafter to be imported; And that all Merchands, Importers, Vintners, Retailers and others Perſons, in whoſe hands any Wine or Tobacco already imported now or within the ſpace of fifteen dayes after the publication hereof at the Croſſe of Edinburgh, Give up under their hands, and upon their oath and declaration to the ſaids Commiſſioners for the Exciſe, Ane juſt and true inventar of the ſaids Wines and Tobacco, and pay the Exciſe thereof, Conform to the table, and in manner as is before mentioned; Wherein if they failzie, It is ordained, that they ſhall be lyable and ſubject in payment of the treble Exciſe, And the failzie to be proven, ut ſupra.

ITEM, The Cuſtomers and their Clerks are hereby ordained, To deliver to the Commiſſioners for the Exciſe, Fermers, and Collectors thereof, Ane juſt and true extract of the whole goods entred lyable to pay Exciſe weekly or monethly, and alſe oft as they ſhall be deſired thereto.

Aquavitæ and ſtrong-waters.

ITEM, It is ordained, That all makers of Aquavitæ or ſtrong waters, ſhall once every fifteene dayes deliver to the Collector of that bounds where the ſame is made, Ane true and perfit lift and inventar of the whole Aquavitæ and ſtrong waters ſo made, and weekly pay the Exciſe thereof, as the ſame is ſold: And alſe, That all perſons in whoſe hands any Aquavitæ or ſtrong waters already made or imported now are, Give up the ſame to the Collectors of that bounds, within ten dayes after publication hereof, and pay the Exciſe thereof weekly as the ſame is ſold; Wherin if the ſaids perſons, makers of Aquavitæ or ſtrong waters, or in whoſe hands the ſamine now are ſhall failzie, they ſhall bee lyable in payment of treble Exciſe, and the failzie to bee proven, ut ſupra.

Coal exported.

ITEM, It is ordained, That all Coal-maſters bee oblieged to cauſe their Greeves at the loadning of any Ship or veſſell with coals to be exported forth of the Kingdome, keep a book, wherein ſhall be inſert the juſt price of the loading of the ſaid Ship or veſſel, with the name of the Ship, Maſter or Skipper, and the time of the loading thereof; Which book, or double of the ſamine ſhall be delivered to the Collector Monethly, upon the firſt Tueſday of ilk Moneth; And the Maſter and Owner of the Coal, at the leaſt the Coal-greeve ſhal ſubſcribe the ſaid book, declaring upon his oath that the ſame is juſt and right; And the Coal-maſter ſhall pay the Exciſe accordingly: Wherein if he failzie, he ſhall bee lyable in payment of treble Exciſe, And the Coal-maſter for his relief ſhall have power to take from the buyer, the Exciſe of the Coals exported by and attour the price thereof.

Fleſhes.

ITEM, It is ordained, That all fleſhers ſhall weekly give up upon oath to the Collectors, Ane juſt and true liſt and inventar of the whole fleſhes ſlain by them, and pay the Exciſe accordingly, under the paine of trebling thereof, and the failzie to be proven, ut ſupra.

Beſtiall & others commodities exported.

ITEM, It is ordained, That all exporters of Beſtiall, Hides, Skins, Yarn, and other commodities exported lyable in payment of Exciſe, Give up the ſame to the Collectors before the exporting thereof, and pay the Exciſe under the pain of trebling the ſame, and the failzie to be proven, ut ſupra. And if theſe Commodities exported by Sea ſhall happen to be caſten away upon Sea, or taken by Pirats, The Exciſe thereof being payed before the exporting, the ſame ſhall bee allowed to the payers in their next Exciſe, upon the production of ane lawfull teſtificate bearing the loſſe of the ſaids goods: And it is declared, That this ſhall bee extended to all goods which ſhall happen to be caſten away upon Sea, betwixt port and port within this Kingdome.

ITEM, The ſaids Eſtates of Parliament do hereby ordain, that if any Perſon or Perſons lyable in payment of Exciſe ſhall conceal and not give up the ſame, or refuſe or neglect to pay the Exciſe thereof, or doe any thing contrary to the Acts made thereanent, They ſhall be lyable and ſubject in payment of treble Exciſe; Whereof two parts for the uſe of the publicke, And the third part to the party informer for his paines.

AND the ſaids Eſtates of Parliament do hereby declare and ordain, That it ſhall be lawfull to poind for the double of the Exciſe, which ſhall not be payed before the expiring of the dayes of the charge to bee given for payment thereof, and that it ſhall not be needfull to take the goods poinded to the Market Croſſe of the Head Burgh of the Shire or other juriſdiction, But only to appriſe the ſame upon the ground where they ſhall be apprehended: Which the ſaids Eſtates declare to be ſufficient in this caſe.

AND further, The ſaids Eſtates of Parliament do hereby warrand and authorize the Fermers of the Exciſe and Collectors thereof, To call for ſuch ane number of the Generall Commiſſar his Troup as ſhall be neceſſar to Quarter upon the Deficients; Who ſhall have free Quarters from the ſaids Deficients, till they make payment of what is due by them. And ordaines the ſaid Generall Commiſſar and the Officers of his Troup, to readily anſwer the Fermers and Collectors herein: And with power to the Clerk of Regiſter, To nominate and appoint Clerks, Deputes, ane or mae, To be Clerks to the Commiſſar for the Exciſe.

ACT ſuſpending the execution of the Bands given by the Commiſsioners for the 5000 l. Sterling.

154 THE Eſtates of Parliament, Conſidering that the Commiſſioners of theſe Shires who hes taken up their proportionall parts of the 5000 l. Sterling appointed for lame Souldiers, Widows and Orphans of dead Souldiers, and hes given their Bands for the payment thereof, conforme to the Act of the Commiſſioners ſent to Newcaſtle, ratified in Parliament, and are now ordained by ane former Act of this Parliament, to redeliver theſe ſums to the Generall Commiſſar upon his Band, will not be free of the execution of the foreſaids Bands given by them at their receit of the ſaids ſummes: Therefore, the Eſtates doe hereby ſuſpend all execution upon the foreſaids Bands given by the ſaids Commiſſioners at the inſtance of any perſon or partie whatſomever, while the ſaids ſummes contained in their Bands be really repayed by the ſaids Commiſſioners, by the Generall Commiſſar or his Deputes, by his order and warrand; That therewith the Commiſſioners may fulfill the conditions and obliegments of their Bands, and thereupon retire the ſamine or diſcharges thereof.

. . . . . .

155 ACT anent the Train of Artillerie.

. . . . . .

XI MARTII.

ACT renuing the Commiſsion to the Commiſſioners for England.

156 FORSAMEIKLE as the Eſtates of Parliament, conſidering that they have condiſcended upon Inſtructions to their Commiſſioners for England: And taking alſo to their conſideration, the tenor and power of the Commiſſion to be granted to the ſaids Commiſſioners; The ſaids Eſtates after debate & voycing, finds, that the Commiſſion granted by the Parliament to the Commiſſioners therein nominate to go to England, in Anno 1644. ſhould ſtand: And therefore they do hereby ratifie and renew the ſaid Commiſſion to the ſaids Commiſſioners therein mentioned, and ordaines the ſamine to ſtand in full force and effect, conform to the tenor thereof: And alſo the ſaids Eſtates after debate and voycing as ſaid is, findes, and declares, that there ſhall foure of the ſaids Commiſſioners ſpecified in the ſaid Commiſſion, go preſently at this time about the managing of the foreſaids Inſtructions, in the diſcharge of the ſaid imployment and Commiſſion, And nominates, and appoints the Earle of Lauderdale, Sir Charles Erskine, Hew Kennedie, and Maſter Robert Barcley, for the effect foreſaid: And therefore, the Eſtates ordaines the Earle of Lauderdale, who is now in this Kingdome, to repair preſently to London, and joyne with the other three who are already there, to the effect before rehearſed.

. . . . . .

XII MARTII.

ACT Thomas Cunninghame. 157

. . . . . .

ACT L. Allardes. 158

. . . . . .

ACT E. of Lauderdaill. 159

. . . . . .

ACT erecting the Kirk of Glencroce. 160

. . . . . .

ACT in favours of the Lord Regiſter. 161

. . . . . .

ACT Lord Elcho. 162

. . . . . .

ACT erecting the new Kirk of Glenluce. 163

. . . . . .

ACT erecting the Weſt Kirk of Calder. 164

. . . . . .

ACT George Jameſon. 165

. . . . . .

ACT Lord Balcarras, diſponing to him the Lands and Eſtate of Gorthie. 166

. . . . . .

ACT for tranſporting the Kirks of Logie-montros and Peart.

AT EDINBURGH the Twelff day of Merche The yeere of God J^m vj^c ffourtie ſevin yeeres THE ESTAITES of parliament haveing hard and conſidderit the Supplicatioune of Johne Lord Loure 167

Sr Alexr falconer of halkertoune ane of the Lordis of Sessioune Mr James grahame of Monorgund and James Scott of Logiemontrois who are all the hereto"ſ of the vnited paroshes of Logiemontrois and peart SHEWING that efter hearing of the ſaidis hereto"ſ and vtheris interest befoir the preſbytrie of Breichen where the ſaidis vnited paroſhes lyes and befoir the generall aſſemblie and cōmitties þ"of It was fund expedient and neceſſar that the twa paroſhes foirſaidis ſould remane vneit in tyme cumeing AND THAIRFORE deſyreing the parliament Not only to ratifie the vnion of the twa paroshes Bot alſo in reſpect the twa kirkis þ"of are builded vpone the vttermoſt pairtis of the paroshes To grant warrand to the hereto"ſ foirſaidis with conſent of Mr patrik ſympſone preſent miniſter at the kirkſ or with conſent of the maiſt pairt of the the hereto"ſ and miniſter To deſigne the maſt competent place als neir the midſt of the ſaidis vnited paroſhes as ſall be fund be thame or maiſt pairt of thame expedient And to caus build the kirk vpone that place ſwa to be deſignit for ſerveing both the paroshes in tyme cumeing And to caus Tranſporte the ſtaines and vther materiallis of the auld kirkis to that place And to build the foirſaid kirk for ſerving both the ſaidis vnited paroſhes QUHILK kirk being builded the ſamyne to be declaired in all tyme cumeing the only paroſhe kirk of the ſaidis vnited paroshes And the paroſhineris ordained to reſorte þ"to as þr ordinar paroshe kirk As alſo deſyreing that everie ane of the hereto"ſ ſall conveene vpone the day of with the ſaid Mr Patrik Sympſone miniſter and condiſcend and deſigne the place for building of the foirſaid kirk þ"on / They or maſt pairt of thame being preſent And to ſett doune ane particular ſtent role of the rent of all the hereto"ſ foirſaidis within the ſaidis paroſches And that according þ"to They be ordained to contribute and mak reddie payment of þr proportionall pairtis for building and perfyteing of the work of the foirſaid kirk in everie thing requiſite and neceſſarlie belonging þ"to As the ſupplicatioune proportis THE SAIDIS ESTATES OF PARLIAMENT Ratifies and approves the vneon of the foirſaidis twa kirkis and paroshes of Logiemontrois and Peart And ordaines the ſamyne to remane as ane coniunct cure in tyme cuming Aecording as is fund expedient and neceſſar be the ſaid generall aſſemblie at Edr and þr cōmitties AND ALS ordaines the hereto"ſ of the ſaidis twa paroſhes with the ſaid Mr patrik ſymſone preſent miniſter at the ſaidis kirkſ To conveene deſigne and condiſcend vpone fick ane cōmodious place als near the midſt of the ſaidis twa vnited paroshes as ſall be fund be thame or maſt pairt of thame maſt cōmodious and expedient for ſerveing of both the ſaidis vnited paroshes And ordaines the new kirk to be builded þ"vpone And for this effect ordaines the ſaidis hereto"ſ to ſett doune ane particular ſtent role of the haill rent of all the hereto"ſ within the ſaidis twa vnited paroſhes And ordaines thame accordinglie to contribute and mak reddie peyment of þr proportionall pairtis for the building and perfyteing of the work of the foirſaid new kirk in everie thing requiſite and neceſſarlie belonging þ"to As alſo for tranſporting of the ſtaines and vther materiallſ of the twa former auld kirkſ To that place to be deſignit for building of the new kirk Quhilk new kirk being builded the eſtaites declaires the ſamyne to be the only paroſche kirk of the ſaidis twa vnited paroſchines in all tyme þ"efter AND ORDAINES the ſaidis haill paroſchineris to reſorte and repaire þ"to as to þr awne ordinarie paroſche kirk in all tyme þ"efter as ſaid is.

. . . . . .

XIII MARTII.

ACT John and Jeane Bonars. 168

. . . . . .

ACT Towne of Dornoch. 169

. . . . . .

RATIFICATION Earle Marſhall. 170

. . . . . .

ANSWER of Parliament to the Papers given in by the Engliſh Commiſſioners. 171

. . . . . .

RATIFICATION L. of Langtoun and Robert Cunninghame. 172

. . . . . .

RATIFICATION Earle of Wigtown. 173

. . . . . .

ACT for revaluation of the Shire of Berwick. 174

. . . . . .

ACT Captaine William Elphingſtoun to be Generall adjutant to the Armie. 175

. . . . . .

ACT for rectifying the valuation of the Shire of Inuernes. 176

. . . . . .

ACT anent Ammunition and proviſion to the Army. 177

. . . . . .

XV MARTII.

ACT anent the taking of the oaths of Delinquents, for tryall of their Delinquencie.

178 THE Eſtates of Parliament, taking into their conſideration the report of the Committee for moneys and proceſſe, bearand that in the tryall of Delinquents, they finde a great difficulty to have any thing proven by witneſſe, and that in regard of the Act of Parliament, they cannot conveniently take their oathes, ſince it is left arbitrarie, to proceſſe to death ſueh as ſhall be found to fall within the compaſſe of the firſt Claſſe for Delinquency, and that before exact tryall, it cannot be found who ſhall fall within the compaſſe of that firſt Claſſe; The ſaids Eſtates of Parliament for clearing hereof, Findes, and Declares, that none of theſe Delinquents who fals, or ſhall happen to fall within the compaſſe of the firſt Claſſe for their Delinquency, ſhall be hereafter proceſſed to death, And in reſpect hereof, The ſaids Eſtates findes that Delinquents may be examined and tryed upon their owne oaths, which wil be the readieſt mean to try the cariage of ſuch as have not yet been called in queſtion, and whoſe Delinquency will be hardly known otherwiſe.

ACT againſt Runawayes and their Reſetters.

179 FORSAMEIKLE as it is repreſented to the Eſtates of Parliament by General Lieutenant David Leſly, that there was great numbers of the Foot Regiments of theſe Forces now imployed for the ſervice of the Kingdome abſent at the day of Randevous keeped at Monroſe the tenth of March inſtant, notwithſtanding of the publick Orders and Proclamation for keeping thereof: And the Eſtates of Parliament taking this, with the prejudice that the publick Service may ſuſtain hereby to their ſerious conſideration, They do hereby Renew and Revive all former Acts and Orders made againſt Runawayes and their Reſetters, And Ordaines the ſame to be put to execution by the Committees of War of the ſeverall Shires of the Kingdom. And further, The Eſtates Ordaines the Committees of War of the ſaids ſeverall Shires immediatly and with all diligence poſſible, To make publick Proclamation and Intimation reſpectivè at the Market Croſſes of the Head Burghs of their Shires, and at the Pariſh Kirks within their ſeverall Shires; ordaining and commanding all theſe Souldiers which are of the new Forces keeped up for the ſerviee of the Kingdome, and who are lurking and remaining within the ſeverall Shires, To repair immediatly to the places of Randevous of the ſeverall Shires, to be appointed by the Committees of War thereof, within four dayes after the Proclamation and Intimation reſpectivè foreſaid, under the pain of death: And Ordaines the ſaids Souldiers to be delivered to theſe Officers of the Regiments ſent for receiving of them, to be carried by the Officers to their ſaids Regiments and Companies, and they to pay for their Quarters in their return to their ſaids Regiments: And alſo ordaines the Committees of War of the ſeverall Shires, after the ſaid Proclamation and Intimation foreſaid, To cauſe make diligent ſearch and tryall of all theſe within their bounds, who gives not obedience by repairing to their ſaids Regiments and Companies whereof they are inrolled as Souldiers, within the ſpace foreſaid, and to apprehend the contraveeners, and to ſee juſtice execute upon them who ſhall be found diſobedient, by hanging of them to the death. And for this effect, The Eſtates gives hereby power and Commiſſion to the Committees of War of the ſeverall Shires, to execute juſtice upon the diſobedient, according to the pain and certification foreſaid: And in the mean time ordaines the ſaids Committees of War, to be aſſiſting to theſe Officers of the ſeverall Regiments that are ſent from the Regiments, with the rolls of the men that are wanting for their help in getting together of the ſaids Souldiers: As alſo ordaines the preſent Commiſſioners of Parliament for the ſeverall Shires and Burghs, to ſend thir preſents with the former Act and Proclamation made againſt Runawayes and their Reſetters, to their ſaids Shires and burghs, immediatly with all diligence, that the ſamine may be proclaimed and intimate, and accordingly put in execution conform to the tenors thereof; And that the Committees of the ſeverall Shires make report of their diligence to the Parliament or Committee of Eſtates.

. . . . . .

XVI MARTII.

ACT Laird of Glaſwall. 180

. . . . . .

ACT Francis Forbes. 181

. . . . . .

ACT L. Grangehill. 182

. . . . . .

TWO Acts L. of Kilraok. 183

. . . . . .

ACT Earle of Tullibardine. 184

. . . . . .

185 ACT L. of Duffus.

. . . . . .

186 ACT Earle of Dumfermling and Counteſſe thereof.

. . . . . .

187 ACT L. of Lethem.

. . . . . .

188 ACT Town of Culane.

. . . . . .

189 ACT George Lockhart and M. Archibald Fleeming.

. . . . . .

190 ACT L. Ballindalloch.

. . . . . .

191 ACT Sir James Fraſer.

. . . . . .

XVII MARTII.

192 ACT Maſter Robert Farquhair.

. . . . . .

193 ACT of approbation and exoneration to the Lord Humbie.

. . . . . .

194 REFERENCE Lord Humbie.

. . . . . .

195 ACT Earle of Buchane.

. . . . . .

196 ACT in favours of the Earle of Airlie, reſcinding his forefaultour.

. . . . . .

197 ACT Maſter of Bamff.

. . . . . .

198 ACT Earle of Hartfell.

. . . . . .

ACT Lieutenant Colonell William Oiſburne. 199

. . . . . .

ACT James Maxwell of Innerweik. 200

. . . . . .

ACT L. of Balnamoone. 201

. . . . . .

ACT L. Cragivar to be Sheriff of Aberdeen. 202

. . . . . .

ACT Lieutenant Colonell William Dick. 203

. . . . . .

ACT Earle of Queensberrie. 204

. . . . . .

ACT L. of Harden younger to be Sheriff of Selkirk. 205

. . . . . .

ACT Earle Marſhall. 206

. . . . . .

ACT and diſcharge Earles of Erroll and Kinnowle. 207

. . . . . .

ORDINANCE anent the date and extracting of Generall Ruthvens Act of reſtoration againſt his forfaultour. 208

. . . . . .

XVIII MARTII.

ACT againſt excommunicate Perſons.

FORASMUCH as the pride and inſolencie of excommunicate perſons doeth exceedingly increaſe, and that dreadfull cenſure of excommunication is much ſlighted and vilipended; Whereby not onely the offenders are obdured in their obſtinate impenitencie, But God is much diſhonoured by their contemning of that his ordinance: For remedie thereof, The Eſtates of Parliament Ratifie and Approve all preceeding Acts and Ordinances of Parliament againſt excommunicate perſons, Ordaining the ſame to be put to due execution; And in reſpect of the impenitencie of excommuni- 209

cate perſons and their diſobedience unto, and contempt of all Eccleſiaſtick Diſcipline: Do further Statute and Ordain, That fourty dayes being paſt after the ſentence of excommunication, Letters bee direct for denuncing all excommunicat perſons His Majeſties rebels, and putting them to the Horn at the inſtance of the Kings Advocate, The Proqutor for the Kirk, The Presbyterie, or other ſuperior Kirk judicatorie intereſſed, or either of them; And that by warrand of any of the Lords of privie Counſell or Seſſion, Which Letters ſhall be execute at the Market Croſſe of Edinburgh and Peir of Leith, and the denunciation uſed by vertue thereof in theſe places, ſhall be ſufficient againſt them, Ordaining alſo Letters of Intercommoning and Letters of Caption to bee direct upon their denunciation, And that in the execution of caption all the Lieges concur and be aſſiſting: Diſcharging hereby all ſuſpenſions, relaxations, and warrands whatſoever for liberty to excommunicate perſons, except they certifie by writ that they have given full obedience and ſatisfaction to the Kirk, and made reall payment of the penalties they incurre by the thirteenth Act of the Parliament in the year, 1641. made againſt the excommunicate perſons: And the Eſtates of Parliament Ratifies and Approves all Acts of Convention, and of Secret Counſell made againſt Jeſuits, Papiſts, Prieſts, and excommunicate perſons; And ſpecially the Acts of Secret Counſell made againſt them upon the firſt of July, 1642. printed the ſame yeer, viz. Concerning the incapacitie of profeſſed Papiſts refuſing to Communicate, to have place in publick Judicatories, or to bruike any office in the Kingdome, or to have acceſſe to the Court, Concerning the debarring of excommunicate Papiſts from proceſſe and offering a roll of their names for that purpoſe, concerning the directing Letters of treaſon, and intercommoning againſt excommunicate Papiſts, denunced Rebels, Recommendation to the Lyon for diſcharging Meſſengers ſuſpect of Poperie, and refuſing the Covenant, Recommendation to the Lords of Exchequer for the eſcheats and Liferents of excommunicate Papiſts, and for obſerving duly the thirteenth Act of the Parliament, 1641. And ane ordinance that Husbands ſhall bee countable that their Wives ſhall not reſet, ſupplie, nor intercommune with Jeſuits nor Prieſts, and that He nor She ſhall not be ſerved by Papiſts; And that none ſhall bee admitted to their ſervice but ſuch as ſhall have a teſtimoniall of the ſoundneſſe of their Religion from the Miniſter where they dwelt, under the paines contained in the Acts of Parliament made againſt reſetters of Jeſuits, Seminarie and Maſſe Prieſts, and eſpecially under the paines contained in the ſaid thirteenth Act of the Parliament, 1641. Which ordinance concerning the receit of Jeſuits, and Prieſts, Together with the remanent Acts concerning profeſſed and excommucate Papiſts, are hereby extended to all excommunicate perſons whatſoever reſpectively. Ordaining the ſaids Acts and Ordinances of Counſel to be put to due execution accordingly.

ACT diſcharging the obſervation of Superſtitious dayes.

THE Eſtates of Parliament, conſidering that the obſerving of Yule day, and other ſuperſtitious dayes is much occaſioned by Coal-hewers and Salters flitting and entrie at Yule; Therefore they Ordain, that the termes of flitting, and entry of all Coalhewers and Salters, ſhall hereafter be upon the firſt of December yearly, diſcharging any entry or removal to be at Yule hereafter: Inhibiting alſo, all and every one to obſerve the ſuperſtitious time of Yule, or any other ſuperſtitious dayes in any manner of way, And that under the paines contained in the Acts of Parliament made againſt prophanation of the Sabbath: And recommends to all whom it concerns, to ſee this Act obſerved, and the contraveeners puniſhed in their perſons and goods condignly. 210

. . . . . .

ACT Maſter James Robertoune. 211

. . . . . .

ACT Lord Fraſer contra L. of Drum. 212

. . . . . .

ACT Generall of Artillerie. 213

. . . . . .

ACT Earle of Erroll. 214

. . . . . .

ANSWERS of Parliament to the overtures given in to Parliament by the Commiſſioners of the Generall Aſſemblie. 215

. . . . . .

XIX MARTII.

INSTRUCTIONS from the Parliament to their Commiſſioners at London. 216

. . . . . .

XX MARTII.

ACT and Commiſsion to the Committee of Eſtates.

FORSAMUCH as the Eſtates of Parliament have thought fit that in further purſuance of the ends of the Covenant, and for ſetling the Peace of this King- 217

dome, ane competent number of Forces ſhall be keeped up and imployed within the ſame; and that the Commiſſion given to ſuch of each Eſtate as were ſent to England ſhould yet be proſecute. And finding it neceſſar, That for providing for the maintenance and welfare of the Forces aforeſaid, for giving inſtructions to the Commiſsioners in England, for taking courſe in what may concerne this Kingdome, in relation to the Scots Army in Ireland, for preſerving and ſetling the peace of the Countrey at home, and in this time of trouble and war, for ordering and governing the haill Body of the Kingdom, Ane Committee of Eſtates ſhould be nominate and authorized by this preſent Parliament, They do therefore nominate, elect, and make choiſe of James Duke of Hammiltoun, William Earle Marſhall, John Earle of Sutherland, William Earle of Mortoun, Alexander Earle of Eglintoun, William Earle of Glencarne, John Earle of Caſsils, Charles Earle of Dumfermling, James Earle of Tillibairdin, Robert Earle of Roxburgh, Francis Earle of Baccleuch, William Earle of Lothian, John Earle of Traqnair, James Earle of Finlator, William Earle of Lanerk, James Earle of Callander, John Lord Yeſter, James Lord Cowper, Alexander Lord Balcarras, John Lord Bargany for the Noblemen. Sir James Fouls of Colingtoun, David Beatoun of Creich, Sir James Lockhart of Lea, ane of the Lords of Seſsion, Sir John Hammiltoun of Beill, Sir Patrick Cokburne of Clerkingtoun, Sir Alexander Belſches of Tofts ane of the Lords of Seſsion, Home of Blacader, Sir Alexander Sutherland of Duffus, Alexander Brodie of that ilk, Sir Alexander Moriſon of Preſtongrange, Sir William Cochran of Cowdoun, Hew Campbell of Ceſnok, Sir Alexander Falconer of Halkertoun ane of the Lords of Seſsion, Ker of Newtoun, Sir Thomas Ruthven of Frieland, Andro Agnew appeirand of Lochnaw, James Macdowall of Garthland, Skene of that ilk, Sir Andro Fletcher of Innerpeffer ane of the Lords of Seſſion, and Sir James Fraiſer of Brae for the Barrons. Archbald Sydſerff Baillie of Edinburgh, John Scot Goldſmith Burges thereof, Robert Arnot Proveſt of Perth, Sir Alexander Wedderburne Clark of Dundee, M^r. Robert Farquer Burges of Aberdene, John Short Proveſt of Sterling, James Robertſon Burges of S. Andrews, George Porterfield Proveſt of Glaſgow, John Kennedie Proveſt of Air, David Simpſon Burges of Dyſert, Robert White Burges of Kirkcaldie, John Johnſtoun Proveſt of Drumfreis, John Forbes Proveſt of Inuernes, M^r. Robert Cuninghame Burgeſſe of Kinghorne, William Glendoning Proveſt of Kirkcudbright, Walter Airth Burges of Pettinweam, John Sempil Proveſt of Dumbartane, Gideon Jack Proveſt of Lanerk, M^r. John Hay Proveſt of Elgin, and Gilbert Mair Burges of Bamf. And als the Eſtates nominates and appoints Alexander Earle of Leavin Lord Generall, John Earle of Lowdoun Chancellour, John Earle of Crawfurd and Lindeſay Preſident of Parliament, Sir Alexander Gibſon of Durie Clerk of Regiſter, Sir John Weemes of Bogie Generall Commiſſar, and the haill perſons in the Commiſsion to England, with the Proveſt of Edinburgh, and James Stewart Generall Collector of the Exciſe to be ſupernumerarie in the foreſaid Commiſſion, To be Commiſſioners of Parliament, To whom or any nine of them, there being two of each Eſtate, The Eſtates gives full power, warrand, and commiſſion to conveen at ſuch times and places as they ſhal think fit, and there to take ſuch courſe, give ſuch orders, warrands, inſtructions, or what elſe they finde neceſſary for defence of the true Proteſtant Religion, the Liberties and Priviledges of the Kingdome, his Majeſties Perſon and authority in the preſervation thereof: For removing the difference betwixt his Majeſty and his People, and promoving the Cauſe in hand, conforme to the Covenant and Treaties made thereanent. And in this time of trouble for ordering and governing the haill Body of the Kingdome, and the Army now imployed within the ſame: And to conſult and adviſe in every thing that may conduce to the good and ſafetie thereof. With power alſo and command to them to give order to the ſeverall Shires and Burrowes of the Kingdome, for raiſing ſuch number of Forces, horſe and foot, out of their ſeverall bounds and Juriſdictions, and for out-reiking them with Arms, Ammunition, Victuall, and other neceſſaries, as they ſhall think fit for the ends aforeſaid, To put the Kingdome in a Poſture of defence, and to give orders for their Quartering, Muſtering, Marching, appointing of Officers over them, and right regulating of the ſame, and providing means and ſubſiſtance for them: And with power to them or their Quorum, To borrow Money allanerly from theſe who have been in actuall rebellion, conforme to the limitations and reſtrictions mentioned in the Act of Parliament at S. Andrews, 3. February 1646. and to borrow the Money contained in the offer and Roll produced to the Committee for the Sheriffdome of Orknay: And to give publick ſurety for the ſame, and more Moneyes already lent or decerned, and for which ſurety is not yet given. And the Eſtates diſchargeth hereby all other coercive of borrowing of Money, Without prejudice of all execution to follow upon the Decreets already given before the date hereof for lending of Money. As alſo with power to them to try, proceſſe, fyne and cenſure, or to iſſue out Summonds or Commiſſions for all juſt and legall tryall, conforme to the Lawes and practice of the Kingdom, againſt all Delinquents (excepting ſuch as are come off, and are or ſhall be freed by Paſſes from Lieutenant Generall David Leſlie, Generall Major Middleton, or any other having power to that effect, and who have enacted and behaved themſelves accordingly, and als excepting ſuch as are or ſhall joyn in the Rebellion) conforme to the ſeverall degrees and Claſſes of delin-

quencie mentioned in the Act of Parliament made at S. Andrewes, and conform to the Commiſſion formerly given thereanent to the former Committee of Proceſſes, which is holden as here repeated, except in matter of Exciſe and borrowing. And ſeeing many bills, proceſſes, tryalls, and decreets concerning Delinquents have been remitted to the Parliament, or are in dependence before, and to be judged by the Parliament, and are not yet decided: With power to this Committee or Quorum to call for them, and to try, cognoſce, judge, and give ſentence thereupon as they ſhall finde juſt. With power alſo to this Committee, To aſſiſt the Collector Generall in bringing in the Monethly Maintenance, and the accompts of all goods, rents, ſummes of Money, and others belonging to Delinquents or forefaulted perſons, together with all other accompts concerning the Publick: And to cloſe, allow, controll, or diſallow the ſame as they ſhal finde juſt and reaſonable: And to call for payment and accompt of all Reſpondes and Debts addebted and due by any perſon whatſomever to the publick, and to give new Commiſſions for up-lifting of Delinquents Rents, and to examine and recall former Commiſſions: And to grant ſuch orders, letters, and execution, for inbringing the ſaids Moneyes, Compts, Reſpondees, and others goods aforeſaid belonging to the Publick, and to pronounce Decreets and ſentences thereupon, and to cauſe put the ſame to execution: And to reduce the whole Debts and Compts of the Kingdome into ſuch order as the publick Debts of the Kingdome may bee knowne. Likeas the Eſtates do hereby entruſt this Committee with the ſole and only power of diſpoſing and diſtributing of all Moneys that ſhal come in and be due to the Publick any manner of way. But prejudice of former aſſignements, and to imploy the Maintenance and Exciſe in the firſt place for maintenance of the Army and Gariſons, and the reſt for ſuch other neceſſars as concerne the preſent Service; And that each precept for giving out of Money be ſubſcribed at leaſt by a Quorum of the Committee, being conveened in Committee. And that all perſons ſubſcribers of any Precept, ſhall be anſwerable to ſubſcribe no Precept out of the Monethly Maintenance or Exciſe, but for the affairs and entertainment of the Army and Garriſons: Wherein if they contraveen, They ſhall be lyable in repayment of all ſuch ſummes for which they ſhall draw precept for any other cauſe, till the Maintenance of the Army and Garriſons be first payed or ſatisfied; And that no Precepts be drawne but when there is Money in the Caſſe to pay the ſame. And the Eſtates do hereby Ordain the ſaid Committee in ordering the payment of any Moneyes to the Army, To diſtribute the ſame equally, and to take conſtant courſe that all Regiments of Foot, Garriſons, Troups of Horſe and Dragooners, be put and kept in equality, either in Money, Proveant, or Proviſion, according to their ſtrength. And for ferming and outgiving the Exciſe, The Eſtates have ordained ſix of the Committee of Eſtates, being two of each Eſtate, to joyne with the Committee of Exciſe; which ſix perſons the Parliament do hereby authoriſe the Committee to appoint and nominate, and to diſcharge them to ſigne any Precept for the diſpoſall of the Exciſe, except for the Maintenance of the Army in the firſt place, and that being ſatisfied (and no otherwiſe) then for other publick uſes, as is contained in the Act of Exciſe.

WITH power alſo to this Committee or Quorum thereof, To cauſe apprehend or call before them all ſuch perſons as are or ſhall joyne in the Rebellion, or concur, aſſiſt, or correſpond with any perſons in the Rebellion: and to purſue them, pronounce ſentence, and do juſtice upon them conform to their ſeverall demerits, and that als fully in all reſpects as the Parliament might do if they were ſitting. As alſo with power to give Inſtructions from time to time to the generall Officers: And alſo for pardoning theſe who are in Rebellion (and not excepted) conforme to the limitations and qualifications which are already, or ſhall hereafter be agreed unto in this Seſſion of Parliament: And that they take in the Reports of Shires and Burghs of ſuch Lands and others as are burnt and waſted by the Enemy: And to allow ſuch proportion of the Maintenance as is ſuſpended, and will be anſwerable to the Rules made or to be made by the Parliament for that effect. With power alſo to this Commitee by themſelves, or ſuch as ſhall be by them authorized, To treat and determine with the Parliament of England, or ſuch as they ſhall appoint, for payment of the Arreares due to the Scots Army in Ireland, and for their future entertainment and diſpoſall of the Army in time-coming, in haill or in part, conforme to the Treaty made thereanent, and as ſhall be thought fitteſt for the Service. As alſo with power to them to ſend Petitions, Letters, or Remonſtrances to his Majeſty, and Meſſages or Commiſsioners to forrain Princes or States, and to return anſwer to any Letters or Meſſages from his Majeſty or forrain Princes or States; and to give paſſes and warrands to ſuch perſons as they ſhall think fit, and are not excepted in the Propoſitions to go and attend his Majeſty in their places, or otherwiſe. With power alſo to the Committee or Quorum thereof, to appoint ſome of their own number, or others as they ſhall think fit, to be ane Committee to attend the Army in Scotland, if they ſhall finde it neceſſar, and to appoint the Quorum thereof, and give them power and inſtructions as they ſhall finde requiſite and expedient. And if any matter of importance do occurre that requires the reſolution of the Eſtates, in that caſe this Committee hes hereby power to call a meeting of the Eſtates of Parliament. And if any of the ſaids Commiſſioners ſhall not attend the meetings of the Committee, and be abſent without licence or law-

full excuſe; With power to the Quorum to fine them according to ane former Act of Parliament: And generally to do all and fundry other things requiſite anent the ordering and managing of all affaires and buſineſſe which may conduce to the good and peace of the Kingdome, and promoving of the common cauſe, as is expreſt in the Covenant and Treaty, firme and ſtable holding, and to hold what ſhalbe done, conform to this Commiſsion abovementioned: Which Commiſsion is to endure to the next meeting of Parliament.

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218 QUALIFICATIONS of the power granted by the Parliament anent the pardoning of ſuch as are in the Rebellion, and anent ſuch as are not to receive conditions.

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219 ACT in favours of Generall Ruthven, reſtoring him againſt his forefaultour.

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XXII MARTII.

ACT liberating the good Subjects from the purſuit and actions of the Rebels, Civill or Criminall.

220 THE Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt Trienniall Parliament, Conſidering that divers of His Majeſties good Subjects may bee troubled and moleſted by Civill or Criminall purſuits, for deeds done by them againſt the Perſons, Lands, or Goods of ſuch as have been in the rebellion, or have been guilty with the Rebels in their wicked courſes or any of them: For remeed thereof, and for ſafetie of thoſe who have faithfullie ſerved the publike in time paſt, And for encouragement to them and others in time comming: It is Statute and Ordained, That all His Majeſties good Subjects ſhall bee altogether freed and liberate in all time coming, from being any wayes called, conveened, troubled, purſued, or moleſted in judgement, Civill, or Criminall, or outwith the ſame for any deed done or to be done by them againſt the Perſons, Lands, or Goods of ſuch as have been or ſhall be in the rebellion, during the time of their being in the ſaid rebellion, and have been or ſhall be guilty with the Rebels in their wicked courſes, or any of them that may come under the firſt Claſſe of Delinquents, contained in the fifth Act of the fifth Seſsion of this preſent Parliament holden at Saint Andrews in the Moneth of January, 1646. And againſt the Lands and Goods of all Perſons, who have been or ſhall be guilty with the ſaids Rebels in ſuch crimes and faults as comes under the ſecond Claſſe of the ſaids Delinquents mentioned in the ſaid Act; Diſcharging hereby all Judges whatſomever within this Kingdome both Civill and Criminall, of all judging or proceeding in any ſuch actions already intended or to be intended in all time comming.

ACT that no reparation of loſſes be given to theſe who hes been complyers with the Rebels.

THE Eſtates of Parliament now conveened in 221
this ſixth Seſſion of the firſt Triennial Parliament, findes and declares, That in any courſe or way tane, or to be tane by them, for reparation of the loſſes of the Kingdom, Theſe that have been enemies to the Countrey, or complyers with the Rebels, Enemies thereof, ſhall have no part nor benefit for reparation of their loſſes which they ſuſtained, during the time they were enemies to the Countrey, or during the time of their complyance with the ſaids Rebels, Enemies thereof: Likeas it is hereby Declared, That this preſent Act is not extended to the Duke of Hammiltoun, and that he is no wayes comprehended under the ſame.

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ACT in favours of the Lord Wariſtoun. 222

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ACT Generall Major Monro, and L. of 223
Kinhilt.

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ACT in favours of the Earle of Mortoun, 224
Lord Burghlie, and others.

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ACT in favours of Sir William Dick. 225

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WARRAND for fraughting of Ships and 226
Barkes for carying of Ammunition.

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ACT in favours of the Duke of Hammiltoun. 227

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ACT anent the furniſhing and ſending of 228
Ammunition to the Armie, and Pay of the traine of Artillerie, and incident charges thereof.

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XXIII MARTII.

229 ACT Lord Humbie upon the production of the articles of Treaty betwixt the Kingdomes of Scotland and England.

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PROTESTATION Lord Balmerino and other Lords of erections againſt the Petition given in by the Vaſſals of Kirk-lands.

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230 REFERENCE concerning the Earle of Dumfermlings Rights of the Abbacy of Dumfermling, with the defences and anſwers given in, for and againſt the ſame, to the Judge ordinar.

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XXIV MARTII.

ACT renewing the Commiſsion for plantation of Kirks, and valuation of Teinds.

231 THE Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament, conſidering that by the thirtieth Act of Parliament holden at Edinburgh, in Anno 1641. There was Commiſſion granted by the Kings Majeſty and the Eſtates of Parliament, to the Commiſſioners therein nominate, & Quorum thereof, contained in the ſaid Act for plantation of Kirks, and valuation of Teinds in manner therein provided: Likeas, in the firſt Seſſion of this Parliament in Anno, 1644. The ſamine Commiſſion for plantation of Kirks, and valuation of Teinds was renewed: And for furtherance and diſcharge of the ſaid Commiſſion, ſome Perſons were nominate in place of theſe deceaſt, and others added thereto in manner ſpecified in the ſaid Act. And the Eſtates having reviſed the ſaids Commiſſions in Anno, 1641. and 1644. reſpectivè, They finde that Maſter George Douglas of Boniedburgh, and Sir Dowgall Campbell of Achinbreck are deceaſt ſince the renewing of the ſaid Commiſſion, and that Sir William Cunninghame of Caprintoun likewiſe one in that Commiſſion is Claſſed for his complyance with the Rebels: Therefore, The Eſtates of Parliament nominates David Beatoun of Creich in place of the ſaid Maſter George Dowglas, Alexander Brodie of that ilk in place of the ſaid Sir Duncan Campbell of Achinbreck, and Sir William Cochran of Coudoun in place of the ſaid Sir William Cuninghame of Caprintoun, & John now Earle of Lauderdale in place of umquhile John Earle of Lauderdale his father, and Sir Archibald Johnſtoun of Wariſtoun His Majeſties Advocate in place of umquhile Sir Thomas Hope late Advocate to our Soveraigne Lord: And likewiſe further addes ſome of each Eſtate, viz. James Duke of Hammiltoun, Francis Earle of Balcleuch, James Earle of Callendar, John Lord Barganie for the Noblemen. Sir James Lockhart of Lea, Sir Alexander Belſhes of Tofts two of the Lords of Seſſion, Sir John Weemes of Bogie, and Sir James Foules of Colingtoun for the Barons. Archibald Sidſerfe for Edinburgh, Sir Alexander Wedderburne for Dundie, Maſter Robert Farquhare for Aberdene, and John Short for Sterling for the Burrows, to be upon the foreſaid Commiſſion for plantation of Kirks and valuation of Teinds; And by thir preſents Ratifies and Renews the ſaid Commiſſion and former Act, renewing the ſamine of before with the eikand addition of the Perſons therein nominate, with the hail power thereby granted and hail tenor and effect thereof, and to modifie Stipends and appoint localities, in manner, and to the end therein mentioned; And grants the like power to the perſons reſpectivè abovenamed, now eiked and added to the former Commiſſion as is granted to the other Commiſſioners nominate, & formerly added in the Act for renewing thereof reſpectivè, ſicklike and in the ſamine manner in all reſpect, as if the ſaids Perſons had been nominate and inſert in the ſaid Commiſſion at the granting thereof: And declares and ordains the Quorum in the ſaid Commiſſion to bee eleven, there being three of each Eſtate. And in reſpect of the great trouble that hath been thir yeers bygane, which hes occaſioned that the parties who are willing to buy, could not purchaſe any right of the Teinds, And herewith conſidering that it was His Majeſties Will and Pleaſure, that all Heritors ſhould have their owne Teinds at reaſonable rates: Therefore the ſaids Eſtates Statutes and Ordaines, That all His Majeſties Subjects who hes not coft their Teinds within the time preſcribed by the foreſaid Commiſſion, or either of them and are now willing to buy, ſhall have hereby power and libertie to buy the ſamine, within the ſpace of three yeer next after the date of thir preſents, conform to the Tenor of the ſaid Commiſſion, notwithſtanding the termined time therein ſpecified be preſcribed. And the ſaids Eſtates declares, That it is lawfull to the ſaids Commiſſioners or their Quorum, to proceed in all ſummonds & actions intended or to be intended, at the inſtance of any party within the time of three yeares after the date of this Act, and with power to determine therein according to juſtice as was formerly, notwithſtanding of any preſcription and certification in former Commiſsions againſt theſe who ſhall not buy their own teinds.

ACT anent the vaſſals of Kirk lands.

232 FORSAMEIKLE as the Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Triennial Parliament, having heard and conſidered the Petition repreſented to them, in the behalf of ſome Barrons, Gentlemen, and others, Fewers of the Kirk-lands within this Kingdome, deſiring the Acts of Parliament formerly made anent the Superioritie of Kirk-lands to be ratified, and that the Parliament would declare all Infeftments, Commiſſions, and Bailiaries, for entring of Vaſſals granted or to bee granted, otherwiſe then in Exchequer, to be null be way of exception or reply, except alanerly in ſo far as the ſamine may be extended to the Few-fermes, and Few-males of the ſaid Kirk-lands, in manner contained in the Act of Parliament, made in Anno 1633. And with the reſervations, and exceptions contained in that Act, and in the other Act of Parliament, in Anno 1641. As alſo, to diſcharge the Lords of Exchequer from paſſing of any Signatures or Infeftments in time coming of the ſaids Superiorities, or any Takes, Commiſſions, or Bailiearies, for entring of Vaſſals, except alanerly, as that by the ſaids Signatours, the parties having right may claime the Few-fermes, and Few-duties addebted to the Vaſſals and other ſubjects of the foreſaids Kirk-lands, as that ſupplication more fully beares: The ſaids Eſtates have remitted, and do hereby remit all bygone Infeftments and rights of Superiorities of Kirk-lands already paſt the Exchequer and great Seal ſince the year of God 1633. to the deciſion of the Lords of Seſſion, to be heard, conſidered, and diſcuſſed by them prout de jure; And alſo the Eſtates have remitted, and do hereby remit the diſcuſſing and deciſion of all warrants already granted by his Majeſtie to particular perſons for entring of Vaſſals to any Kirk-lands, whither the ſamine warrands be granted by name of Take, Commiſſion, Bailierie, or any way of deputation to the Lords of Seſſion, to be decided by them prout de jure: And the Eſtates declares, that the Superiors and Vaſſals reſpectivè foreſaids are left in ſtatu quo they were before the making of this Act, unprejudged or helped by the remitting of their Infeftments, Rights, Warrands, Takes, Commiſsions, and others abovementioned to the Judges ordinar prout de jure, conform to the foreſaids two articles above rehearſed. And ſicklike, The Eſtates of Parliament findes, and declares, that the Lords of Exchequer and keepers of the Seals, ſhall not have any power to grant or paſſe hereafter any new Grants, Rights, or Infeftments of the Superiorities of the foreſaid Kirk-lands; And therefore the Eſtates does hereby diſcharge the Theſaurer principall and Depute, and remanent Lords of Exchequer, and keepers of the Seales, from all paſsing or expeding any new Grants, Rights, or Infeftments, of any of the foreſaids Superiorities of the ſaids Kirk-lands, and from all paſsing of any Warrands, Takes, Commiſsions, Bailliaries, or deputation for entring of Vaſſals thereto, and for theſe Superiours and Vaſſals of Kirk-lands, contained in the firſt and ſecond articles abovementioned, remitted to the ſaid ordinary Judge prout de jure, the Eſtates leaves them in ſtatu quo they were before the making of this Act, unprejudged or helped as is aforeſaid, excepting alwayes from the ſaid reſtraint, the Signatour granted to the Earle of Eglingtoun, and the Lord Montgomery, of the Abbacy of Kilwinning, with this declaration alwayes, that if the Exchequer ſhall pleaſe to paſſe the Signatour of Kilwinning, The ſame ſhall be without prejudice to the Lairds of Blair, Montgrenane, Aſchinyards, Hill of Beath, Halpland, and Mainiſ-hill, and all others who have not conſented, nor will conſent to the ſupplication given in by the Vaſſals of Kilwinning, deſiring to hold of the ſaids noble Lords: All which perſons ſo excepted are allowed to enter preſently, and in all time coming by the Exchequer, to any lands holden of the ſaid Abbacy of Kilwinning; And with this ſpeciall declaration alſo, That the paſsing of the ſaid Signatour or right in Exchequer, (if it ſhall be done) ſhall neither prejudge nor help the ſamine, but that the ſamine is and ſhall be remitted to the Judge ordinar foreſaid in manner above-written, to be tryed and diſcuſſed by them prout de jure, and this eſpecially in reſpect the Earle of Eglingtoun and Lord Montgomery hes the conſent of moſt part of the vaſſals, who hes ane greater commodity and eaſe by entring by the ſaid Earle and his Son then by the Exchequer, for they are content to enter both Heirs and ſingular Succeſſors, without any benefit, ſave only the double of the few duty, and are oblieged to diſpone the vaſſals liferent eſcheat for four Merks of every hundreth Merks of Rent: And the Eſtates of Parliament, for good cauſe and particular conſideration, Declares, that the firſt article of this Act doth not militate againſt the Lands of Lurg, Kincardine, or ſeventeene Aikers of Lands of Culroſe, ſometime pertaining to the Abbacie of Culroſe, nor to the fewfermes or ſuperiorities thereof, which are no wayes to fall within the compaſſe of any article of this Act, but notwithſtanding thereof ſpecially reſerved in full force, ſtrength, and effect; Except and from this preſent Act whatſomever dotations or mortifications pertaining to His Majeſties Royall Burrows; And declares the ſamine no wayes to be comprehended within this preſent Act, but to be excluded therefra, and from the Act of Parliament, 1633. cap. 14. And declares the Infeftments, Mortifications, and others Rights, Gifts, and Securities thereof, made to them and in their favours, to bee good valide Rights and Securities to them and their Succeſſors, for bruiking of the haill Rents, Anualrents, Superiorities and all others therein contained, conform to the Tenors thereof in all points: And

alſo the Eſtates diſcharges the Exchequer of paſſing any new Signators, or Rights of Bailliaries (whereof there has not been former Rights) comprehending ſervitudes, or entring of vaſſals: And ſicklike, The ſaids Eſtates remits and recommends to the Committee of Eſtates, to ſet down ſick ſmall rates and prices for entring of meane and petty vaſſals of Kirklands, as the Committee ſhall finde expedient for the eaſe of the ſaids vaſſals, anent their entry to the ſaids Lands paſſing and expeding of the Writs and Seals thereof: And ordaines the Committee to report the ſame to the next Seſſion of Parliament.

ACT that none guilty of the Crimes of the firſt Claſſe, bee admitted on the Committees of Warre of the Shires.

233 THE Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt Trienniall Parliament, findes and declares: That none of theſe who are found guilty of the Crimes mentioned in the firſt Claſſe of the Act anent the Claſſes of Delinquents made at Saint Andrews in the eighth of January 1646. Shall be admitted to bee upon the Committees of Warre for the ſeverall Shires of the Kingdome, or any of them; and if any be already named to be upon the ſaids Committees of War of the ſamine ſeverall Shires, that are guilty of any of the crimes ſpecified in the ſaid firſt Claſſe of the Act above-written: The Eſtates do hereby prohibite and diſcharge them, and every ane of them ſo guilty as ſaid is, to ſit in the foreſaids Committees of War, or any of them, or to have place or voice thereintill.

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234 ACT of approbation in favours of the Earle of Leaven Lord Generall.

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235 ACT for out-reik of two Ships and a Pinace to guard the coaſt.

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PROTESTATION Marques of Argyle for the Earle of Louthian.

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236 ACT in favours of Generall Major Midletoune, Maſter Robert Farquhair, and ſome others.

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237 ACT in favours of the Lord Balcarras, and Sir John Brown.

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DECLARATION in favours of the Generall Commiſſar. 238

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PROTESTATION for Edward Bruce of Carnock.

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XXV MARTII.

ACT renewing the Commiſsion of Exchequer.

THE Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt Trienniall Parliament, Taking into their conſideration the Commiſsion formerly granted to the Exchequer upon the firſt day of February 1645. They do hereby renew and prorogate the ſame Commiſsion, to the perſons and with the power therein mentioned, and addes thereto Sir Archibald Johnſtoun of Wariſtoun Knight his Majeſties Advocate, in place of umquhill Sir Thomas Hope his Majeſties Advocate, without any further addition to the ſaid Commiſſion: And ordaines the foreſaid Commiſſion to ſtand in full force, ſtrength, and effect, and to be a full power and Commiſsion to the foreſaids perſons, to aſsiſt the Lord Theſaurer principall and Theſaurer Depute, in the managing of the matters of Exchequer, conform to the tenor thereof in all points, ay and while the ſamine be diſcharged by the Parliament. 239

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ACT anent the Sheriffe of Dumbartan. 240

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REFERENCE anent the Sheriffe of Eaſt-Louthian. 241

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RATIFICATION George Lockhart. 242

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ACT L. Fulwood to bee Sheriffe principall of Dumbartan while Michaelmaſſe next. 243

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XXVI MARTII.

ACT anent Quarterings.

THE Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament, Taking to their conſideration the great burden under which the Countrey groaneth through the exorbitant Quarterings of the Forces, Horſe and 244

Foot, that have beene this long time bygone, and ſtill is, and how unreaſonable it were that the Lieges ſhould both be lyable to the ſaid Quarterings, and alſo in payment of the Monethly Maintenance impoſed upon the Kingdome; Have therefore thought fit to ſtatute and ordain, Likeas by thir preſents, They ſtatute and ordain, That all the Quarterings within this Kingdome, bygone ſince the tenth of February, and in time coming during the continuing of this preſent Maintenance, the ſamine being lawfully proven either by Billets, or by witneſſe, in communi forma, to be led and deduced before the Committees of War of ilk Shire, or any two of them, who are hereby fully authorized for that effect, to deduce the ſaid probation, which being ſo cloſed and made, ſhall be ane charge upon ilk ane of the ſaids Regiments, Troups, or Companies pro tanto, and a ſufficient warrand to the party to receive payment or allowance, conform to the eſtabliſhment after the count fitted and no otherwiſe: And hereby it is expreſly declared, that the ſeverall Heritors, and others lyable and obleiged in payment of Monethly Maintenance, having their Quarterings lawfully inſtructed in manner foreſaid, aſwell for themſelves as their tenants, They alwayes producing their tenants warrand and aſſignation of their Quarterings to them, ſhall have retention and allowance of all the ſaids Quarterings, which either is for the preſent or ſhall be hereafter reſting awand unpayed ſince the tenth of February laſt bypaſt, and that in payment of all their Monethly Maintenance which either is, or ſhall be at any time hereafter reſting unpayed ſince the tenth of March inſtant: And alſo it is ſtatute and ordained, that for the relief of thoſe who may bee overburdened and exhauſted by Quarterings, that theſe perſons or Pariſhes ſhall have their relief of their Quarterings which exceeds their Maintenance, and that to be payed by the ſeverall Heritors, and others of that Shire pro tanto, in ſo far as their Maintenance doth extend to. And incaſe any Shire ſhall be exhauſted and overburdened with Quarterings above their Maintenance, In that caſe they ſhall have payment and relief from the Generall Commiſſar out of their Maintenance, and for Quarterings in time coming: It is farther ſtatute and ordained, that what ever Officers of the Army within this Kingdome ſhall not give Billets or Notes for their Quarterings, that it being proven that they Quartered in ſuch and ſuch places, and did not leave Notes or Billets for the ſamine, conforme to the juſt numbers Quartered both of Officers and Souldiers, That then and in that caſe no pay ſhall be given to the ſaids Officers and Souldiers ſo failzieing, untill the Notes or Billets bee given to the Perſons, Pariſhes, and Shires upon whom they were Quartered as ſaid is: And it is likewiſe enacted and ordained, that the firſt Tueſday of every Moneth ſhall be appointed in the ordinary places of meeting, for making of the Quartering counts within ilk Shire, and leading the probation as ſaid is: And it is ordained, that the Collector of ilk Shire be warranted to be preſent, either by himſelf or ſome in his name at the ſaids times and places reſpective.

ACT for clearing former Acts concerning Quarterings.

THE Eſtates of Parliament now conveened in 245
the ſixth Seſſion of this firſt Triennial Parliament, Taking to their conſideration, That in their Act of the firſt of January, 1647. anent the clearing of any doubt or queſtion that may be made in the allowance of Quarterings in the payment of the Monethly Maintenance: Did Statute and Ordaine, That Quarterings alſe well ſince Lambmaſſe laſt as before Lambmaſſe ſhould be allowed in the payment of the Maintenance; And that theſe that have made payment of the ſaid Maintenance having nothing in their hands, whereof to true allowance, may be forced to lye out of the payment of the ſaids Quarterings, whereas theſe that hes not made payment of the ſaid Maintenance, ſhall have full ſatisfaction ſo farre as the Maintenance reſtand in their hands may reach, and ſua bee in ane better caſe then theſe that hes made payment thereof: For remeed whereof, The ſaids Eſtates do hereby declare that the meaning thereof is, That the Quarterings that were before Lambmaſſe laſt, are to be payed conforme to the Act made for payment of Quarterings at Saint Andrews of the twentie ſeventh of January, 1646. And where there is more Maintenance reſtand either in Burgh or Shire than payes the Quarterings before Lambmaſſe laſt, That the ſamine bee imployed for the compleat payment of the Quarterings after Lambmaſſe of that ſame Burgh or Shire where the ſamine is reſtand, ſo farre as the ſaid Maintenance will reach; And that ſuch an equalitie bee keeped in the diviſion thereof, that theſe that hes payed the ſaid Maintenance or any part thereof, be put in a like footing in the payment of the ſaids Quarterings, with theſe that hes not payed the ſamine within the ſaid Shire or Burgh: But prejudice alwayes of the payment of Sir Adam Hepburne of Humbie of theſe three Moneths Maintenance appointed to be payed to him in part of payment of his ſuper-expenſes of his Scots accounts.

ACT annulling Bands given to James Grahame, Alexander Mackdonald, and their Adherents.

FORSAMEIKLE as the Eſtates of Parliament 246
being certainly informed, And thereupon taking to their ſerious conſideration, that there is ſundry Bands, Diſcharges, and other Writs obligatorie, taken and exacted by James Grahame late Earle of

Montroſe, and Alex. Mackdonald, or any of them, either in their own names or in the name of any other perſon or perſons, to their or either of their uſes and behove, ſince the time they were in the rebellion, from ſome of the good ſubjects of this Kingdome, who were forced to the granting of the ſaids Bands, Diſcharges, and others Writs obligatorie, being then in captivity with the ſaids James Grahame, or Alex. Mackdonald, and their affiſtants, or under their power for the time: And that it is againſt all reaſon, equity and conſcience, that theſe Bands, Diſcharges, and other Writs obligatorie aforeſaid, ſhould ſtand and have effect and execution againſt any of the good ſubjects of the Kingdome granters thereof: Therefore the ſaids Eſtates of Parliament, Statutes, and Ordaines, Findes, and Declares, that all and ſundry Bands, Diſcharges, and other Writs obligatory, granted and ſubſcribed by any of the good ſubjects of the Kingdome to the ſaids James Grahame late Earle of Montroſe, or to Alexander Mackdonald, either in their own names or in the name of any other perſon or perſons for their uſe or to their behove, ſince the time they were in the rebellion, the granters thereof being then in captivity with the ſaids James Grahame, or Alexander Mackdonald, or their aſſiſtants, or under their power; are and ſhall be altogether void, null, and ineffectuall fra the granting thereof, and in time coming: Likeas the Eſtates do hereby diſcharge the ſaids Bands, and others foreſaids, with all that hath followed or may follow thereupon, and declares the ſamine null, voide, and ineffectuall from the beginning and in time coming as ſaid is, and the granters thereof, and their aires, executors, and others ſucceeding to them, to be altogether free from the fulfilling of the foreſaids Bands, Diſcharges, and others Writs obligatorie, payment of the ſummes therein contained, and from performing of the others deeds and obliegments therein mentioned.

ACT concerning the education of children under Popiſh Parents or Tutors.

247 THE Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt Triennial Parliament, conſidering how dangerous it is that children be educate by perſons that are Popiſhly affected: Do therefore, conform to ane ordinance of Parliament at S. Andrews, ordain the Lords of Secret Councel, or the Committee of Eſtates, or either of them upon the repreſentation of the particular caſe by a Presbyterie, or other Kirk judicatorie, to provide and appoint a way for the education of children that are under the power of Popiſh Parents, Tutors and Curators, giving unto them full power to take theſe children from under the charge of Popiſh Parents, Tutors, or Curators, and to commit them to the care of ſome well-affected religious friend, to be educate in Religion and vertue, and to do every thing neceſſar for their good education: And farther, that children doe not ſuffer in their education abroad; The Eſtates of Parliament ratifie and approve the firſt and ſecond Acts of the twentieth Parliament of King James the ſixth, (and the ſixth Act of the Parliament of King Charles, in the year of God, 1641. relating thereto) concerning children that go out of the Kingdom, and ſending Pedagogues with them, ordaining the ſame Acts to be carefully obſerved and put to due execution in time comming.

ACT anent the trying of burnt and waſted Lands.

FORSAMEIKLE as the Eſtates of Parliament 248
having heard and conſidered the report of the Committee appointed by them, for condiſcending upon the cleareſt and readieſt wayes, for trying what Lands are ſo burnt and waſted that they are not able to pay duty or Maintenance, and for what ſpace and yeers they have been ſo: They ordaine and appoint, That there be three Commiſſioners direct by warrand of Parliament, not intereſſed in the Shires or Burghs ſo burnt or waſted, for trying the Lands burnt and waſted be-north the water of Tay within or without Burghs, viz. What Lands are ſo waſted by burning or otherwiſe, That they pay no dutie, or the Tenants of theſe who are well-affected ſo diſabled by the enemy or our owne Forces, as either they cannot or are not able to pay any duty (In which caſe the Maſters are to bee free of payment of Maintenance) Or ſuch Lands as the Tenants are in that condition, that they are only able to pay a very ſmall proportion of duetie, (In which caſe, the Eſtates ordaines the Maintenance to bee proportioned to the duety) And alſe, To try for what ſpace the ſaids Lands have been ſo, that they are not nor have not been able to pay duty or Maintenance: And it is declared, That this preſent Act ſhall be but prejudice to the quantitie of the Maintenance payable by the Shires and Burghs not already ſuſpended by the Act of Maintenance; With ſpeciall conſideration to be had of theſe that hes had their Lands totally waſted, and hes of new pleniſhed the ſame: And the Eſtates grants power to the three Commiſſioners or any two of them (if need be) To call any Nobleman, Gentleman, or Burgeſſe within the bounds abovementioned, leaſt intereſſed in the loſſes, to be aſſiſting to them; And that ane Clerk be nominated and appointed by the Clerk of Regiſter to be ſent with the ſaids Commiſſioners to the effect foreſaid: And the Eſtates declares, That the Commiſsioners and Clerk ſhall be upon the publike charge, and accordingly payed by the publike; And the Eſtates remits and recommends to the Committee of Eſtates, to appoint the indurance of the time of this Commiſſion, and to

nominate and appoint the Commiſſioners, and to modifie and condiſcend upon the charges to be given to them and their Clerk, with the day of the report concerning their proceedings and tryall to be tane upon this Commiſſion, to be condiſcended upon, modified, and determined as the Committee of Eſtates ſhall think fit: As alſo, the Eſtates remits to the Clerk of Regiſter, to nominate and appoint ane Clerk to the foreſaid Commiſſion, and in the mean time, that the payment of the Maintenance to theſe in the condition foreſaid be ſuſpended untill the time of the report to be appointed by the Committee of Eſtates as ſaid is, or longer if the parties intereſſed do diligence, that the default be not in them. And as for theſe on the ſouth ſide of the water of Tay, that have their Lands burnt and waſted as is before mentioned; The Eſtates of Parliament ordaines them to have their addreſſe to the Committee of Eſtates, and make their condition known to them, betwixt and the tenth of June next, or longer as the Committee ſhall think expedient. That upon conſideration of their condition, the Committee of Eſtates may likewiſe give warrand and Commiſſion for trying of the burnt and waſted Lands be-ſouth the water of Tay, as is before condiſcended. And ſicklike, The Eſtates of Parliament remits to the Committee of Eſtates, To appoint and condiſcend upon the manner of probation, to bee uſed and received for trying of the foreſaids burnt and waſted Lands upon the Commiſsion before rehearſed: And the Eſtates of Parliament declares, That the beginning of the exemption of repayment of the Maintenance to bee granted upon the report of the foreſaid probation, ſhall be only for the cropt, 1646.

ACT anent the Committees of Warre in the ſeverall Shires.

249 THE Eſtates of Parliament now conveened in the ſixth Seſsion of the firſt Trienniall Parliament, Taking in conſideration the neceſsity and expediencie of appointing and continuing of Committees of Warre in the ſeverall Shires of the Kingdom, for the furtherance of the publike Service; With the liſts given in by the ſeverall Commiſsioners of the Shires reſpectivè, of the perſons deſired by them to be upon the Committees of War of the ſaids Shires, or to be added thereto: The ſaids Eſtates of Parliament nominates and appoints the perſons afternamed to bee upon the Committees of Warre of the ſeverall Shires reſpectivè underwritten both for Burgh and Land, and to be added to the former Committees thereof reſpectivè as followeth, viz.

FOR the Sheriffedome of Edinburgh, The Earle of Balcleuch, the Earle of Hadingtoun, the Earle of Lawderdaill, the Earle of Lothian, the Earle of Dalhouſie, the Lord Torphichen, the Lord Cranſtoun, the Lord Balmerino, the Lord Forreſter, the Laird of Craigmiller, the Laird of Niddrie, the Laird of Libbertoun, the Laird of Lugtoun, David Maccullo of Goodtries, the Laird of Collingtoun, the Laird of Woodhall, Maſter Samuel Johnſtoun of Scheans, Patrick Eilies of Southſide, George Fouls of Ravilſtoun, Sir William Nisbet of Deane, Edward Edger of Peppermylne, James Eilies, the Laird of Gogar, James Winrahame of Currie-hill, the Laird of Haltoun, Sir John Murray of Walkfield, Sir John Gibſone of Alderſtoun, Maſter James Scot of Bonytown, the Lairds of Dalmahoy elder and younger, the Lord Craighall, Sir John Smith of Grottell, Maſter John Inglis of Crawmond, the Laird of Calderhall, the Laird of Selnis, the Laird of Ingliſtoun, Maſter John Skene of Halgards, James Hammiltoun of Brigs, Maſter Lawrence Scot of Bavelaw, the Laird of Riccardtoun Craig, Gilbert Kirkwood of Pilrig, the Lord Wariſtoun His Majeſties Advocate, Sir William Scot of Clerkingtoun, Lawrence Scot younger thereof, John Sterling portioner of Byrena, Patrick Scot in Shireffehall, Maſter John Cant of Mortoun, Archibald Kinkade in North Leith, Archibald Calderwood Baillie of Dalkeith, Thomas Megget of Maſtertoun, Alexander Bothwel of Glencorſe, William Borthuik of Hereot, the Lord Cranſtounridle, Sir Patrick Hammiltoun of Little Preſtoun, Patrick Hammiltoun his Son, the Laird of Arneſtoun, the Laird of Fordelcorſe, Robert Porteus younger, Mark Caſſe of Cokpen, John Nicolſone of Poltoun, Alexander Hay of Nuntoun, James Boyd of Temple, the Laird of Torſons, the Laird of Cruikſtoun, John Maſon in Inneresk, the Laird of Smetoun, the Laird of Stanihill, James Murray of Babertoun, and the two Baillies of Muſſilburgh; And appoints the Quorum to be nine.

ITEM, For the Sheriffdome of Fyſe, The Eſtates addes to the former Committee of the Shire, Generall Major Sir James Lumiſdene of Innergellie, Generall Major Robert Lumiſdene of Montquhanie, the Laird of Kincraig, the Laird of Sandfoord Balfour, Generall Major Leſlie of Mires, Maſter William Beaton, the Laird of Balfarg, the Laird of Balbugie, the Laird of Spenſerfield, and John Pitcairne of Uneſtoun; And appoints the Quorum to be nine.

ITEM, For the Sheriffdome of Sterling, The Eſtates addes to the former Committee of that Shire, the Earle of Mar, the Lord Elphingſtoun, the Maſter of Elphingſtoun, Lieutenant Generall Baillie, Maſter Robert Naper of Kilcreugh, the Laird of Pardowie, James Sterling of Baldernok, Branſhogle younger, Sir William Levingſtoun of Weſtquarter, Alexander Levingſtoun portioner of Hanyng, Hary Elvingſtoun of Calderhall, David Forreſter of Denovane, John Murray younger of Livilands, and John Levingſtoun of Kirkland; And appoints the Quorum to be nine.

ITEM, For the Sheriffdome of Berwick, The Eſtates nominates to be upon the Committee of Warre of that Shire, the Earle of Home, the Earle of Hadingtoun, the Earle of Lawderdaill, the Earle of Leaven, the Lord Angus, the Lord Humbie, the Lord Toftis, the Lairds of Wedderburne elder and younger, the Laird of Langtoun, the Laird of Blacader, the Lairds of Swintoun elder and younger, the Laird of Polwart, the Laird of Haliburtoun, Sir William Scot of Harden, Alexander Home of Plendergaiſt, John Rentoun of Lambertoun, Sir Harie Home of Heirdrig, Sir James Cokburne of Ryiſlaw, John Home of Ninewells, Sir John Home of Crumſtane, Maſter George Home of Kymmerhame, Archibald Douglas of Lumiſdene, Sir James Nicolſone of Colbrandiſpeth, William Home of Linthill, Patrick Home of Coldinghame-law, Thomas Ker of Merſingtoun, John Ker in Merſingtoun, the Lairds of Foulden elder and younger, Alexander Home of Baſſindean, Robert Dickſon of Buchtrig, James Home of Caſtellaw, the Laird of Thornidykes, Maſter Robert Hart of Chappell, the Laird of Blanerne, Maſter Alexander Home of Saint Leonards, the Laird of Edrem, the Laird of Cumledge, Edward Trotter of Dernchefter, George Home of Diringtoun, Major William Lyle, and Alexander Home of Bello; And appoints the Quorum to be nine.

ITEM, For the Sheriffdome of Peibles, The Eſtates nominates to bee upon the Committee of Warre of that Shire, The Earle of Traquair, the Lord Jeſter, the Lord Lintoun, the Maſter of Jeſter, the Laird of Blakbarronie, the Lairds of Dawick elder and younger, the Laird of Littlehope, James Geddes of Kirkurd, the Laird of Preſtongrange, the Laird of Hayſtoun, Maſter James Lawſon of Cairnemure, Walter Murray, James Ruſſell, the Laird of Poſſo elder, the Laird of Romanno elder, the Laird of Polmude, Maſter Alexander Burnet, the Laird of Glen younger, the Laird of Pirne, the Laird of Cardrona, the Laird of Wrae, John Dikſon of Hartrie, and the Proveſt of the town of Peibles, or, in his abſence, any ane of the Baillies thereof; And appoints the Quorum to bee ſeven.

ITEM, For the Sheriffdome of Angus or Forfar, The Eſtates addes to the former Committee of Warre of this Shire, James Lord Carnegie, William Maſter of Gray, the Maſter of Loure, the Laird of Craig, the Laird of Dun, the Laird of Edzel, the Laird of Balnamone, the Laird of Balgordie, Alexander Mauld younger of Panmure, the Laird of Fintrie, the Laird of Ruthven, the Laird of Balgillo, Sir James Ogilvie of Newgrange, Maſter John Fothringhame Tutor of Powrie, Thomas Fothringhame of Denoone, the Laird of Claverhouſe, the Laird of Monorgund, the Laird of Gairne, the Laird of Potmollies, the Laird of Melgum, the Laird of Pitſcandlie, Alexander Wedderburne of Kingenie, James Durhame of Powrie Durhame, the Laird of Teilling, Robert Arthbuthnot of Findowrie, Together with the whole remanent Noblemen of the Shire not already upon the former Committee, nor hereby added for the Town of Dundie Sir Alexander Wedderburne of Blakeneſſe, Maſter George Halyburtoun, for Brechine George Steil, for Montroſſe James Scot elder, for Aberbrothok John Ochterlony, for Forfar Alexander Strang; And appoints the Quorum to be nine.

ITEM, For the Sheriffdome of Perth, The Eſtates nominates and appoints for the Committee of Warre in this Shire, the whole Noblemen within this Shire who are not under the ſuſpicion of Claſſing, with the Gentlemen and others following, viz. The Laird of Inchmartine, the Laird of Balthyok, the Laird of Glennegies, the Laird of Frieland, the Laird of Adie, the Laird of Duncrub younger, the Laird of Gairntellie, Sir William Stuart, the Laird of Feingeis, the Laird of Balmanno, the Laird of Inchefture or any of his two ſons, the Laird of Monorgund, Peter Hay of Leyis, George Hay of Kirkland, Maſter Francis Hay of Balhouſie, Hugh Mitchel of Kincarrok, Maſter Hugh Moncreif of Tibbermalloch, the Laird of Colpmalindie, the Laird of Bachiltoun, John Moncreif of Kinmonth, William Oliphant of Balgonie, William Moncreif in Kintelloch, the Laird of Balmadie, David Drummond of Innermay, the Lairds of Glenurquhie elder and younger, the Laird of Strathuird younger, the Laird of Comrie, Thomas Meinzies of Tormanoch, John Blair of Lethintie, Alexander Robertſon of Downie, William Lindeſay of Kinloch, the Laird of Ardblair, the Laird of Bamf, the Laird of Jordanſtoun, the Laird of Crumbie, the Laird of Kethik, Maſter David Kinloch, James Drummond Fear of Machanie, Lawrence Oliphant of Gask, the Laird of Kelte, William Blair of Williamſtoun, Patrick Murray of Wodend, Robert Murray of Buchintie, Maſter Patrick Murray of Auchtertire, Murray younger thereof, Alexander Murray of Sowie, John Campbel brother to the umquhile the Laird of Abirurchill, the Laird of Cordoch, James Chrichtoun in Aldie, William Hutton in Bellilisk, Patrick Drummond of Broich, Sir George Preſtoun of Valeyfield, Sir John Erskene of Balgown, Maſter George Dundas of Maner, Hary Home of Argedie, the Lairds of Anchile elder and younger, Drummond of Mylnenab, John Buchanan of Ardinpryor, Coline Campbel of Buchquſhatill, Alexander Spittel of Blairlogie, Archibald Stirling Fear of Ardoch, James Ure of Shergartoun, John Denneſtoun of Skapo, Robert Arnot Proveſt of Perth, Patrick Dundie and John Conqueror Baillies, Gourley of Culroſſe, David Murray of Kinkill, Edward Toſiok the Tutor of Abircairnie,

James Campbel of Clathik, John Dow Fear of Arnnall, and David Dogge of Ballingrew, or any ſeven of the whole as ane Quorum; With power to this Committee at their firſt meeting to divide their number, and ſettle ane Quorum thereof, of ſick and ſo many as they think fit for each Presbytery within the ſaid Shire, to be ane Committee of Warre within the bounds of the Presbytery: But Ordaines the whole Committee to meet at the Head Burgh of the Shire, upon advertiſement from the Conveener, as occaſion ſhall require; And the Lord Regiſter nominate and appointed Maſter Patrick Maxwel Sheriff-Clerk of Perth, to be Clerk to the foreſaid Committee of War of the Sheriffdome of Perth.

ITEM, For the Sheriffdome of Hadingtoun, The Earles of Roxburgh, Wintoun, Haddingtoun, and Lawderdail, The Lord Zeiſter, Angus, and Elibank, the Lord Innerpeffer, the Lord Humbie, the Lairds of Wauchtoun elder and younger, the Lairds of Hirdmeſtoun, Innerweek, Preſtoun, Lamingtoun, Smetoun, Preſton-grange, Stevinſtoun, Alderſtoun, Beill, Kilbirnie, Lufneſſe, Goffoord, Elphingſtoun, Foord, Elvingſtoun, Colſtoun, Clerkingtoun, Congletoun, Ruchlaw, Craig, Whitelaw, Nunraw, Markill, Saltcoats, Sir William Dick, Robert Hepburne, Thomas Turnble of Skaitbuſſe, Maſter Alexander Hay, Andro Hammiltoun, Maſter Andro Marjoribanks, Robert Pringle of Woodhead, Maſter John Pringle his ſon fiar thereof, Captain Thomas Hammiltoun, Maſter Cornelius Inglis, William Dickſon, George Wood, and for the Burgh of Haddingtoun, John Cockburne Proveſt, or Patrick Young, or John Sleich Bailies there: For the Burgh of Dumbar, James Lawder, or William Purves Bailies there: For Northberwick, George Home elder; And appoints any ſeven of the whole to be the Quorum.

ITEM, For the Sheriffdome of Dumbartan, The Laird of Fulewood, the Lairds of Ardincaple elder and younger, the Laird of Kilmahew, the Laird of Colgrane, the Laird of Feirme younger, the Lairds of Ardoch elder and younger, the Laird of Bonwar, John Mackfarlane Fiar of Arrochar, the Lairds of Camſtroddan elder and younger, the Laird of Darleith, John Denneſtoun of Dalquharn, John Sempil of Dalmoak, William Buntene of Stuck, Robert Colquhoune of Ballanerk, Archibald Buntene of Kirktoun, the Laird of Balvie, Robert Hammiltoun of Barnes, John Colquhone of Kilmardonie, William Sterling of Law, Walter Douglas of Rayſtoun, John Sempil Proveſt of Dumbartan, Maſter James Fleeming of Balloch, and the Laird of Garſhore; And appoints the Quorum to be ſeven.

ITEM, For the Sheriffdome of Linlithgow, The Earle of Callender, the Lord Barganie, the Lairds of Dundas elder and younger, the Laird of Newliſtoun, Riccardtoun Drummond, the Laird of Dudingſtoun Dundas, the Laird of Medhope, the Laird of Maner, the Laird of Byning, the Laird of Boghall, Maſter John Bruce of Wrae, William Bruce of Kincavill, Maſter David Hay of Woodcockdaill, Alexander Maxwel of Dechmount, Maſter James Hammiltoun of Weſtport, the Laird of Levingſtoun, Sir Archibald Sterling of Carden, Maſter William Sandilanes, Maſter Walter Dundas, John Cornwall of Bonhard, Alexander Hammiltoun of Parklie, Maſter John Eiſtoun of Cowſtoun, Sir Joſeph Douglas of Pumpherſtoun, Andrew Hammiltoun of Redhall, George Bell for the town of Lithgow, and James Dawling for Queensferrie; And appoints the Quorum to be ſeven.

ITEM, For the Sheriffdome of Lanerk, The Eſtates of Parliament addes to the former Committee of their Shire, The Lord Duke of Hammiltoun, James Hammiltoun of Ernock, Robert Hammiltoun younger of of Silvertounhill, James Hammiltoun of Neiliſland, Patrick Hammiltoun of Newtoun, Andrew Hammiltoun of Overtoun, Robert Bailie of Welſtoun, Maſter James Robertoun of Bedlaw, William Brown of Dolphingtoun, Claud Bailie of Bagbie younger, Archibald Bailie of Hillis, Walter Corbet of Towcorſe, Maſter John Hammiltoun of Green, the Laird of Corhouſe, the Laird of Covingtoun, Maſter George Barbour of Kirktoun, the Lord Juſtice Clerk, the Laird of Caithkin, Sir William Weere of Stainbyres, Alexander Hammiltoun of Hags, Walter Stuart of Allantoun, James Hammiltoun of Woodhall younger, Sir James Hope of Leidhill, James Gilhagie, and David Spence for Rutherglen; And appoints the Quorum to be nine.

ITEM, For the Sheriffdome of Innerneſſe, Sir Robert Innes of that ilk, the Laird of Findruſie, Walter Innes of Innerbrakie, Robert Monro of Obiſdale, John Monro of Lamlair, Hector Dowglas of Muldarg, Hew Fraſer of Balladrum, William Frafer of Culbokie, the Sheriff of Cromartie, Sir James Frafer of Brae, Heugh Roſſe of Kilraok, Duncane Forbes of Cullodine, Heugh Frafer of Kinneries, Heugh Roſſe of Littletarrell, Thomas Frafer of Strwie, Sir John Mackenzie of Tarbet, the Laird of Mackintoſh, and William Bailie of Dunean; And appoints the greateſt part of the foreſaid Committee to be the Quorum.

ITEM, For the Sheriffdome of Air, The Eſtates addes to the former Committee of Warre of that Shire, the Laird of Carſſe, and Robert Brown; And ſeven to be the Quorum.

ITEM, For the Sheriffdome of Drumfreis, The Eſtates of Parliament addes to the former Committee of War of this Shire, David Mackbrair of Almagill, John Hairſtanes of Craig, Patrick Thomſon

of John Henderſon Baillie of Lochmaben, William Crichtoun Burgeſſe of Sanquhair, John Johnſtoune Burgeſſe of Annand, John Welch of Colliſtoun, John Greirſon of Chapell, Major Thomas Mackburnie, and Maſter John Corſon; And appoints ſeven to be the Quorum.

ITEM, For the Sheriffdome of Kincardine or Mearnes; The Eſtates addes to the former Committee of War of this Shire, Sir Robert Dowglas of Tilliquhillie, Sir John Douglas of Barreſſe, Maſter William Ramſey younger of Witſtoun, Maſter James Strauchan of Fettercarne, Robert Buchane of Portlethem, Robert Keith of Craig, William Lepar of Herviſtone, John Strauchan of Hauch-head, and George Ogilvie of Lumgair; And appoints nine to be the Quorum.

ITEM, For the Sheriffedome of Renfrew, The Eſtates addes to the former Committee of War of this Shire, the Laird of Blackhall younger, the Laird of Biſhoptoun younger, the Laird of Duchall younger, the Laird of Roiſland, the Laird of Southbar, and the Laird of Jordanhill; And ſeven to be the Quorum.

ITEM, For the Stuartrie of Kirkcudbright, The Eſtates addes to the former Committee of War hereof, Sir Robert Maxwell appearand of Orchardtoun, John Macklellan of Auchlean, Patrick Mackie of Larg, William Maxwell of Kirkhouſe, William Macklellan of Barſcob, and Robert Gordoun of Grange; And appoints ſeven to be the Quorum.

ITEM, For the Sheriffdoms of Caitnes and Sutherland promiſcuouſly, The Eſtates nominates and appoints for the Committee of Warre within the Sheriffeſhip of Caitnes and Sutherland promiſcuouſly, Francis Sinclare of North-field, Sir James Sinclare of Cannesbie, Sir John Sinclare of Dunbeath, James Sinclare of Broum, William Sinclare of Ratter, John Cuninghame of Bremhill, Cap. William Innes, Major James Innes, William Sinclare of Lun, Charles Caddell of Lynagar, David Monro Commiſſar of Caitnes, John Murrey of Pennyland, Patrick Sinclare of Ulbiſter, and Alexander Mulligan for Caitnes, the Earle of Sutherland, Sir Alexander Sutherland of Duffus, Sir John Gordoun of Embo, Robert Gray of Sordell, Robert Murrey of Spangedale, Alexander Gray of Spiſdale, Alexander Gun of Calelnan, Robert Gray of Ballone, Alexander Gordoun of Carrell, and the Proveſt of Dornoch for the time; And appoints nine to be the Quorum.

ITEM, For the Sheriffedome of Bamff, The Eſtates addes to the former Committee of War of this Shire, the Earle of Buchane, the Lord Bamff, John Lyon of Muresk, Walter Stuart of Ryland, Maſter Thomas Mortimer of Stanilyes, Maſter James Hay of Muldavat; And ſeven to be the Quorum.

TO the which Committee of Warre, the ſeverall Shires reſpective, abovementioned and Quorums thereof, the ſaids Eſtates of Parliament do hereby renew and grant the ſame Commiſſion, power, and warrand formerly granted by the convention of Eſtates, in their Act of the 26. of Auguſt, 1643. And ſince then renewed in the ſeverall preceding Seſſions of this Parliament, to the ends and with the ſame liberties and proviſion therein ſpecified, and conform to the tennor thereof in all points: And farther the Eſtates of Parliament addes to the foreſaid former power of the ſaids Committees, this power following, viz. They do hereby give power to the ſaids ſeverall Committees or their Quorum, And ordaines them to take tryall what moneyes or other publick dues hath been intrometted with, and uplifted within their ſeverall Shires for the uſe of the publick, by the ſeverall Collectors, or Sub-collectors for the publick, or by any other perſons whatſoever, as for the uſe of the publick and under that name; and thereafter ordaines the foreſaids ſeverall Committees of Warre to make report thereof to the Committee of Eſtates or Parliament, that thereupon ſuch farther courſe may be taken thereanent, as ſhall be thought fit and expedient: And alſo the Eſtates appoints theſe perſons abovenamed, of the ſeverall Committees abovewritten, who are Commiſſioners for the ſaids Shires to this preſent Seſſion of Parliament, to be Conveeners of the foreſaids Committees for the firſt meetings thereof, and to proceed in the ſamine ſeverall Committees at the ſaids firſt meetings of the ſame, which firſt meeting, the Eſtates ordaines to be with all convenience, with power thereafter to the ſaids ſeverall Committees or Quorums thereof, reſpective before rehearſed, to nominate and chooſe their own ſeverall Conveeners, to preceed at their meetings, as they ſhall finde expedient. And laſt the Eſtates of Parliament grants power to the Committee of Eſtates or their Quorum, to alter and change the foreſaids Committees of Warre, or any of the perſons abovenamed, nominate to bee thereupon, as the Committee of Eſtates or Quorum thereof ſhall think fit or finde expedient.

.....

ACT Marqueſſe of Argyle and Earle of Southesk. 250

.....

ACT Creditors and Cautioners of the late Earle of Montroſe. 251

.....

252 ACT for preſſing of Ships and Horſes, for carrying of Ammunition and proviſion to the Armie.

253 ACT Earle of Lauderdaill.

254 ACT James Gibſone.

255 ACT Elizabeth Cochran.

256 ACT Maſter John Hay.

257 ACT Town of Sterling.

258 ACT Francis Brodie.

259 ACT L. Cragivar.

260 ACT for a contribution to repair the Bridge of Bothwell.

261 ACT in favours of Sir James Hope, for mending the hie-wayes.

262 ACT Duncane and John Forbeſes.

263 ACT L. Innes.

264 ACT for revaluation of Aberdeene Shire.

265 ACT Lord Naper.

ACT L. Achinbreck. 266

ACT Maſter Patrick Pitcarne, anent the Commiſſariot of Dunkell. 267

ACT L. Lawers. 268

ACT Towns of Aberdene, Inuernes, Elgine, Nairne, Culane, Bamff, Brechine, Forres, and Dornoch. 269

ACT L. Weyme. 270

ACT Martine Mengeis and James Campbell. 271

ACT Coline Campbell of Aberurchill. 272

ACT Durhame of Grange and others. 273

ACT Lord Humbie anent his ſuper-expences. 274

ACT Lord Lovat and his friends. 275

ACT M. George Sharp Miniſter for his Stipend. 276

ACT John Sutherland. 277

ACT Earle of Murray. 278

ACT L. Panmure. 279

280 ACT Parochiners of Kirriemure and Tannadyce.

. . . . . .

281 ACT in favours of John Simſone.

. . . . . .

282 ACT Generall Major Robert Lumiſdene.

. . . . . .

283 ACT in favours of the ſilver and gold Lace weavers and workers.

. . . . . .

284 REFERENCE in favours of the keepers of the Magazines.

. . . . . .

285 ACT Earle of Southesk, and Lord Lowre.

. . . . . .

286 ACT in favours of the free Royall Burrowes anent their loſſes.

. . . . . .

287 ACT Will. Home reſcinding his forfaulture.

. . . . . .

288 ACT James Stuart and James Hammiltoun.

. . . . . .

289 ACT Earle of Eglintoun.

. . . . . .

290 ACT Vicount of Dudhope.

. . . . . .

291 ACT Earle of Crawfurd-Lindeſay.

. . . . . .

292 ACT town of Brechine for ſome Arms.

. . . . . .

293 ACT Alexander Campbel of Pennymore.

. . . . . .

294 ACT in favours of the creditors of Weſtnisbet.

. . . . . .

ACT John Hay of Knokcawdie. 295

. . . . . .

ACT M. John Gellie Miniſter. 296

. . . . . .

ACT Earle of Sutherland. 297

. . . . . .

ACT town of Dundie. 298

. . . . . .

ACT William Baillie. 299

. . . . . .

ACT John Robertſone. 300

. . . . . .

ACT L. Duffus and James Sutherland. 301

. . . . . .

ACT Thomas and William Dumbarris. 302

. . . . . .

ACT in favours of Robert White and others contra Sir David Ros. 303

. . . . . .

ACT anent Commonties. 304

. . . . . .

ACT of approbation Sir James Lumiſdene. 305

. . . . . .

ACT of approbation Sir James Ramſay. 306

. . . . . .

ACT of approbation Lieut. Generall Bailie. 307

. . . . . .

ACT Beſsie Gevane. 308

. . . . . .

ACT Earle of Findlater. 309

. . . . . .

310 ACT Vicount of Arbuthnot.

. . . . . .

311 ACT L. Fedrett.

. . . . . .

312 ACT Earle of Carnwath.

. . . . . .

313 ACT Robert Dumbar of Burgie.

. . . . . .

314 ACT Lord Cowper.

. . . . . .

315 ACT James Johnſtoun.

. . . . . .

316 ACT Alexander Chiſholme.

. . . . . .

317 ACT in favours of the Heritours of the nether part of the Parochin of Bothwell.

. . . . . .

318 THREE References concerning the Town of Edinburgh, and in their favours.

. . . . . .

319 ACT in favours of the Marqueſſe of Argyle, and L. of Calder.

. . . . . .

PROTESTATIONS againſt the ſame.

. . . . . .

XXVII MART II.

ACT anent the election of ane Preſident of Parliament for ilk Seſsion of Parliament.

320 THE Eſtates of Parliament now preſently conveened in this ſixth Seſſion of the firſt Trienniall Parliament, Taking to their conſideration the fiftieth Act of our Soveraigne Lords ſecond Parliament, made anent the election of the Preſident of Parliament, Wherein it is ſtatute, that in all ſucceeding Parliaments after the taking of the Oath of Parliament by all the Members thereof, They ſhould make choiſe of the Lord Chancellour, or any other the King or his Commiſſioner and the Eſtates ſhould appoint to be Preſident of Parliament, who ſhould remaine and continue Preſident alſe well in that Parliament wherein he is choſen, as in the next Parliament ſubſequent, untill the ſaid Oath be taken, and another choſen to be Preſident in his roome, as the ſaid Act more fully proports: By the which Act it is not particularlie expreſſed, whether the Preſident of Parliament ſhall bee changed ilk Seſſion of Parliament, or ſhall continue during the running and ſeverall Seſſions of a current Parliament, untill the indiction of a new Parliament: For clearing whereof, The Eſtates upon good Cauſes and conſiderations, Statutes, Ordaines, and Declares, That in all time comming it ſhall be the firſt Act, the beginning of ilk ſeverall Seſſion of Parliament, after the taking of the Oath of Parliament, to proceed to the election and making choiſe of a Preſident for that Seſſion of Parliament, who ſhall preceed in that Seſſion of Parliament, and while the taking of the Oath and new election of another Preſident in the next Seſſion of Parliament, So that in each ſeverall Seſſion of Parliament albeit the ſamine ſhall bee current, there ſhall be ane new election of a Preſident for that Seſſion thereof allanerly, and while the Oath and new election in the next in manner abovewritten.

ACT diſcharging Letters of foure formes.

THE Eſtates of Parliament now conveened in the 321
ſixth Seſſion of the firſt Trienniall Parliament, Conſidering the needleſſe charges that His Majeſties Subjects are put to (who compriſes their debtors Lands) by uſing and executing of Letters and charges of four formes upon their compriſings againſt the ſuperiors of the Lands compriſed, for infefting the compriſers thereintill: The Eſtates for remeed hereof, Statutes and Ordaines, That all Letters and Charges raiſed or to be raiſed upon compriſings alreadie deduced or to be deduced, ſhall bee execute hereafter againſt the ſuperiors of the Lands and others compriſed for infefting of the ſaids compriſers thereintill, upon ane ſimple charge of Twentie ane dayes allanerly; Which the Eſtates declares to bee alſe ſufficient in all reſpects, as the former charges given upon compriſings, by vertue of the Letters of foure formes, which are now hereby diſcharged in time coming.

ACT annulling Bands taken by Officers of Caſſeired Regiments.

THE Eſtates of Parliament now conveened in 322
this ſixth Seſſion of the firſt Trienniall Parliament, Taking to their conſideration the deſire of the ſupplication of the Burgh of Bamff, preſented to them

by Gilbert Mair Commiſſioner for that Town, craving that they may be fred of ane Band of ſix hundreth Merks, given by them to Colonell George Forbes of Mylnebowie, for the prices of certain Cloathes and Arms promitted by the Town to twenty two Souldiers put out by them to the ſaid Colonell George Forbes in Auguſt, 1646. In reſpect the ſaid Colonell and his Regiment was diſcharged and caſſeired by warrand of the Committee of Eſtates within few dayes after the granting of the Band, and the Souldiers returned to their own habitations, and herewith alſo conſidering that there is divers and ſundry others Bands granted by divers of the good ſubjects of the Kingdome, to Colonels and other under Officers, for payment to them of divers ſummes of money, which albeit the Bands bear borrowed money, yet the true cauſe of the granting thereof was onely for putting out of Souldiers, and for the price of Cloathes and Armes to them, to the ſeverall Regiments and Companies, whereof the Colonels and other under Officers, receivers of the ſaids Bands, were Commanders, which were alſo within few dayes after the granting of the ſaids Bands caſſeired by warrand and order of the Committee of Eſtates: And the Eſtates of Parliament finding it unjuſt that the foreſaid Bands of the nature and quality abovementioned, not being truely for borrowed moneyes, ſhould ſtand obligator againſt the granters, or that they ſhould be lyable to the payment of the ſummes therein contained: Therefore the Eſtates of Parliament for remeed hereof, findes, and declares, and hereby ſtatutes and ordaines, That the foreſaid Band granted by the Town of Bamff to the ſaid George Forbes of Mylnebowie, for payment to him of the ſum of ſix hundreth Merks abovеſpecified, with all other Bands of that nature granted by any of the good ſubjects of the Kingdome, to any Colonels or under commanders of Regiments or Companies, for pay of the ſummes reſpectivè contained in the Bands as borrowed money, albeit the ſame were truely granted for putting out of Souldiers, and for Cloathes and Arms to the Souldiers of their Regiments and Companies, which were ſhortly after the granting of the Bands caſſeired and disbanded by order and warrand of the Committee of Eſtates, Are and ſhall be void, null, and ineffectuall from the date hereof, ſenſyne and in time comming: Likeas, The Eſtates diſcharges the ſamine, with all execution that hath followed or can follow thereupon againſt the granters thereof: And declares them, and every ane of them free of their obligements in the foreſaid Bands, and of all payment of the ſummes of money therein mentioned for ever.

ACT Salvo jure cujuſlibet.

323 THE Eſtates of Parliament now conveened in the ſixth Seſſion of the firſt Trienniall Parliament, Conſidering that in this preſent Seſſion of Parliament, there are ſome particular Acts, and Acts of Ratification made in favours of particular Perſons, which may be prejudiciall to the parties having intereſt, and not heard, albeit the meaning of the Eſtates bee at this time as it was ever in all preceding Parliaments, that by no particular Act, or Act of Ratification granted to any particular perſon, any other parties ſhould be hurt or prejudged of their lawfull rights and defences competent to them of the Law; For remeed whereof, it is ſtatute and ordained, That no Ratification, nor other particular Act whatſoever, made in favours of any particular perſon in this preſent Seſſion of Parliament, bee prejudiciall to any other parties rights or defences, competent to them of the Law, but that the ſaids particular Acts, and Acts of Ratification made in favours of particular parties be alwayes underſtood Salvo jure cujuſlibet.

ACT appointing the firſt meeting of the ſecond Trienniall Parliament to be upon the firſt Thurſday of March 1648.

THE Eſtates of Parliament now conveened in this 324
ſixth Seſſion of the firſt Trienniall Parliament: Taking in conſideration that by the Act of Parliament made in June 1640 anent Trienniall Parliaments: It is thereby ordained, that before the cloſure of every Parliament, the day of the next ſubſequent Parliament ſhall be condiſcended upon; And herewith alſo conſidering that this firſt Trienniall Parliament, is now this day in the ſixth Seſſion thereof by the aſſiſtance of God Almighty brought to ane happy concluſion; Therefore the Eſtates of Parliament, do hereby appoint and ordain the firſt Thurſday of March next to come, in Anno 1648. To be the day of the firſt meeting and conveening of the ſecond Trienniall Parliament: At the which day, ordaines all the members of Parliament to meet and conveen at Edinburgh, without any other or farther warning and premonition to be made for that effect, but only the publication of this preſent Act with the remanent Acts of this Seſſion of Parliament, which the Eſtates declares to be ane ſufficient warning and premonition to the effect foreſaid: And ordaines the whole Acts, Statutes, and ordinances, made and concluded in this firſt Trienniall Parliament, in the ſeverall Seſſions thereof, to ſtand and have the ſtrength and force of Acts of Parliament, conform to the tennors thereof reſpectivè: And the Eſtates grants power to the Committee of Eſtates, in the mean time betwixt and the day abovementioned upon emergents as they ſhall finde neceſſitie, to conveen the Parliament ſooner, at any time or place betwixt and the day abovеſpecified as they ſhall finde expedient, the haill Committee, at the leaſt the major part thereof, being warned upon fifteen dayes to the

meeting, for calling of the ſaid Parliament: And ſicklike, The Eſtates ordaines the Lords of Seſſion, and Commiſſion for plantation of Kirks, to conveen and ſit down in Seſſion and Commiſſion reſpective for adminiſtration of juſtice the firſt day of June next to come, and to continue at the ordinar times appointed for their ſitting at Edinburgh, while they be diſcharged by Parliament, Committee of Parliament, or ſecret Counſell.

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325 ACT L. Innerquharitie.

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326 ACT L. Capringtoun.

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327 ACT L. Grangehill.

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328 ACT Colonell Home.

. . . . . .

329 ACT Sir James Fraſer, and John Hay.

. . . . . .

330 ACT Lieutenant Generall David Leſlie, and Major Middletoun.

. . . . . .

331 ACT in favours of the Laird and Lady Edzell.

. . . . . .

332 ACT M. Roger Mowat.

. . . . . .

333 ACT Town of Aberdene.

. . . . . .

334 ACT Town of Bamf.

. . . . . .

335 ACT Earle of Mortoun, and Town of Edinburgh.

. . . . . .

336 ACT Earle Kinghorn and his Tennants.

. . . . . .

ACT Lord Cardroſſe. 337

. . . . . .

ACT Sir Walter Murray. 338

. . . . . .

ACT for rectifying of the valuations of the Sheriffdome of Pebles. 339

. . . . . .

ACT John Campbel of Domdorne. 340

. . . . . .

ACT Lord Elibank. 341

. . . . . .

REFERENCE Earle Eglintoun. 342

. . . . . .

ACT Lord Balmayne. 343

. . . . . .

ACT Creditours of James Grahame anent the wood of Kincardine. 344

. . . . . .

ACT M. William Davidſon. 345

. . . . . .

ACT anent the Laird of Lawers Regiment. 346

. . . . . .

ACT Earle of Dumfermling. 347

. . . . . .

ACT Marqueſſe of Argyle ratifying his former Acts. 348

. . . . . .

ACT Lord Fraſer, contra L. Drum. 349

. . . . . .

ACT M. William Dumbar. 350

. . . . . .

ACT James Hay of Murifauld. 351

. . . . . .

352 ACT Earle of Sutherland.

. . . . . .

PROTESTATION Earle of Sutherland anent his place and precedencie.

. . . . . .

353 ACT Jacob Burret.

. . . . . .

354 ACT Earle of Traquair.

. . . . . .

355 ACT L. Clakmannan.

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356 ACT Duke of Lennox, Proteſtation Earle of Crawfurd-Lindeſay in the contrair.

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357 ACT Mart. Black.

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358 ACT Lord Ieſter.

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359 ACT M. John Cheiſſie.

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360 ACT Parochiners of Muckart and Dolor.

. . . . . .

361 ACT Sir Robert Douglas.

. . . . . .

362 ACT of approbation to the Committee of Eſtates.

. . . . . .

363 ACT of approbation to the Committees of Proceſſe and Moneyes.

. . . . . .

364 ACT Generall of Artillerie.

. . . . . .

365 ACT anent the Committee of Proceſſe and Moneyes for the North.

. . . . . .

366 WARRAND to the Cautioners of James Grahame for citation of his Creditours to produce their Bonds.

. . . . . .

RATIFICATION in favours of the Earle of Crawfurd-Lindeſay of his Rights of the Baronie of Auchterſtruther. 367

. . . . . .

RATIFICATION L. Innerpeffer of his Infeftments of the Baronie of Saltoun. 368

. . . . . .

RATIFICATION in favours of the Earle of Callender of his Right of the Baronie of Donypace and others. 369

. . . . . .

RATIFICATION in favours of the Earle of Hadingtoun. 370

. . . . . .

COMMISSION to Thomas Forbes of Watertoun.

AT EDINBURGH the Tuentie ſevint day of March the yeir of god J^{m} vj^{c} fourtie ſevin yeiris THE ESTATES of parliament now conveened in this ſext ſeſſion of the firſt trienniall parliament VNDERSTANDING That thair hes bene diverſe gude actis of parliament made be his hienes and his moſt noble progenito^{r} Anent the deſtruction of cruves and ȝeares / ſlaughter of read fiſh / ſmowtis and fray of all fiſhes And that the ſamen actis made p^{r}anent wer be his hienes vmq^{le} darreſt father King James of worthie memorie and eſtates of parliament In his ſevint parliament cap: 111 dewlie ratified and approven and ordanit to have effect and execution In tyme comeing AND Becaus it wes then vnderſtood to his Mātie and eſtates of parlia^{t} That albeit panes and travell was tane to caſt doune and deſtroy the ſaidis cruves and ȝeares ȝit in default of the execution of the panes contenit in the ſaidis actis vpon the contravenars therof The ſaidis cruves and ȝeares wer not haldin doune nor no vp^{r} thing in effect (appointed to be done be the ſaidis actis) putt to executioune throw the default and negligence of the ordinar officiars to whome the execution p^{r}of was cōmitted THERFORE Oure ſaid vmq^{le} Soverane Lord with advyce of the ſaidis eſtates made conſtitut and ordanit the perſones p^{r}innominat w^{t}in the boundis and wateris p^{r}inmentioned His Hienes Juſtices in that pairt In maner and to the effect mentioned in the ſaid act of parliament In the q^{lk} act of parliament amongſt the reſt the Laird of Eſſilmonth wha than had the wodfett and poſeſſion of the fiſhing of the water of ythane was made Juſtice in that pairt for the ſaid water of Ithan With ample power and warrand to the ſaid Juſtice everie ane of them w^{t}in p^{r} awne boundis In manner and to pe effect p^{r}incontenit and as is vnderw^{t}in As the ſaid act of parliament beiris AND Becaus now the fiſhing of 371

the ſaid water of Ithan whilk was than in the wodſet and poſeſſion of the ſaid Laird of Eſſilmonth And q^lk was the caus and occaſion that moved him to be conſtitut Juſtice in that pairt of the ſaid water of Ithan does now pertene belong and is poſſeſt be Thomas forbes of Watertoune heritablie And that his ſ^d fiſhing is now mightilie hurt and prejudged be cruves and ȝeares and be ſlaughter of reid fiſhe ſmouttes and fray of all fiſhingis contrair to the tenors of the ſ^d^ꝯ actis of parliament And throw not putting of the ſamene execution aganis the contravenars þ^r of There being now no Juſtice in that pairt to put the ſamen to execution according to the ſ^d act and warrand þ^r incontenit The ſ^d Laird of Eſſilmonth being deceiſt And his airis haveing no richt therto nor benefite therby And ſua the ſaid executioune of the ſaidis actis ar alluterlie neglected To the great prejudice of his Mãties cuſtomes and of the ſaid Thomas forbes of Watertoune now herito^r of þe ſ^d fiſhing THERFORE and for remeid wherof THE SAIDIS ESTATES of parliament HAVE made conſtitut and ordanit and be thir pñtis Makis conſtitutis and ordanis the ſaid Thomas forbes of Wattertoune now hereto^r and poſſeſſo^r of the ſaid fiſcheing of the ſaid watter of Ithan his airis and ſucceſſo^rꝯ herito^rꝯ and poſſeſſo^rꝯ þ^r of Juſtices in that pairt for the ſaid watter of Ithan In place of the Laird of Eſſilmonth wha was poſſeſſo^r therof of before Sicklyik in the ſame maner and w^t alſe great liberties and priuiledges in all thingis as the ſaid Laird of Eſſilmonth was conſtitut Juſtice in that pairt for the ſaid watter of Ithan of before Be the ſaid act of parliament ſpeciallie abonementioned And diſcharges all vþ^r Juſticeis and cõmiſſionarꝯ hinc inde in that pairt Except the ſaid Thomas forbes Giveand grantand and cõmittand to the ſaid Thomas forbes his airis and ſucceſſo^rꝯ herito^rꝯ and poſeſſo^rꝯ of the ſaid watter of Ithan Juſticeis in that pairt for the ſaid water of Ithan To enquyre and tak vp dittay of all perſones contravenarꝯ of the ſaidis actis of parliament within the boundis of the ſaid water of Ithan and graines þ^r of alſewell the principall offenders as there maſteris Land Lordis and reſſaitters and to call them to vnderly the Law therfore in the tolbuith of the head burgh of the ſhyre or vther place convenient at the diſcretion of the ſaidis Juſticeis and to put them to the knawledge of ane aſſyſe And as they be fund culpable or Innocent To miniſter Juſtice vpon them conforme to þe Lawis of this realme The panes contenit in the ſaidis actis to raiſe and vplift And of the ſamen to mak compt recknyng and payment To Oure Soverane Lord and his hienes Theſaurer in the Exchecker And to the effect that the executioun of þe ſaidis actis ſall not be neglected In tymecomeing as in tyme bypaſt Ordanis tua Juſtice courtis to be haldin yeirlie The ane the firſt day of ffebruar and the vþ^r the firſt day of auguſt or the nixt laufull dayis þ^r eſtir following Beſydes vþ^r courtis to be haldin at vþ^r tymes at the diſcretion of þe ſaid Juſtice And incaice the ſ^d Thomas forbes his airꝯ and ſucceſſo^rꝯ Juſtices in that pairt foreſ^d or ony of them failȝie in doeing of þ^r exact diligence ffor execution of this pñt cõmiſſion at tua tymes everie yeir as ſ^d is being called and conveend þ^r of Be o^r Soverane Lord / his Juſtice generall / or his deputtis at þe inſtance of his hienes advocat They ſall incurre the pane of Tua hundereth pundis ſcotis To be vplifted than be his hienes Theſaurer to his Mãties vſe conforme to þe tenor of þe ſ^d formar act of parliament and cõmiſſion þ^r incontenit.

. . . . . .

RATIFICATION in favours of the Laird of Rires. 372

. . . . . .

RATIFICATION in favours of Sir Patrick Hammiltoun of Little Preſtoun. 373

. . . . . .

RATIFICATION in favours of Sir James Lumeſden of Innergellie. 374

. . . . . .

RATIFICATION in favours of James Blair younger, Merchant Burges of Irwing. 375

. . . . . .

RATIFICATION in favours of the L. Brodie of his Infeſtment of the lands of Brodie and others. 376

. . . . . .

RATIFICATION in favours of Maſter William Sempil, Proteſtation there-againſt. 377

. . . . . .

RATIFICATION in favours of the Earle of Callender of the office of Sheriff principall of Sterling ſhire. 378

. . . . . .

RATIFICATION in favours of Sir Michael Balfoure of Deanmylne. 379

. . . . . .

RATIFICATION in favours of the Earle of Dumfermling. 380

. . . . . .

RATIFICATION in favours of James Mowat Writer. 381

. . . . . .

382 RATIFICATION in favours of Sir Adam Hepburne of Humbie, and Thomas Hepburne his ſonne of their Infeftment of the lands of Humbie and Overhowden, with a diſſolution thereof from the Abbacie of Kelſo.

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383 RATIFICATION in favours of the Lord Wariſton his Majeſties Advocate.

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384 RATIFICATION in favours of the Earle of Crawfurd-Lindeſay of the Right granted by the King to Maſter Levingſtoun of the Biſhopricks, and by Maſter Levingſtoun to the Earle.

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385 RATIFICATION in favours of Robert Hammiltoun.

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386 RATIFICATION in favours of the Earle of Murray.

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387 RATIFICATION in favours of the Laird of Lugtoun.

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388 RATIFICATION in favours of the L. of Cragivar.

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389 RATIFICATION in favours of Alexander Brodie of Letham.

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390 RATIFICATION in favours of the Laird of Birkinboig.

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391 RATIFICATION in favours of the Town of Kinghorne.

. . . . . .

392 RATIFICATION in favours of Sir Will. Cochran of Cowdoun.

. . . . . .

393 RATIFICATION in favours of M. Robert Farquher.

. . . . . .

394 TWO Ratifications in favours of William Law.

. . . . . .

RATIFICATION in favours of Captain Thomas Lindeſay, and John Lindeſay his ſon. 395

. . . . . .

RATIFICATION in favours of the Earle of Lanerk. 396

. . . . . .

RATIFICATION in favours of Maſter Robert Mayne. 397

. . . . . .

RATIFICATION in favours of the Laird of Langtoun of his Infeftments of the Baronie of Langtoun. 398

. . . . . .

RATIFICATION of the Gift granted by the Kings Majeſtie in favours of umquhile Sir Thomas Hope of 1080 l. ſterling, as Commiſſioner to the Generall Aſſembly. 399

. . . . . .

RATIFICATION in favours of Sir John Gibſone of Alderſtoun of ane ſignator of Taxt Waird. 400

. . . . . .

RATIFICATION in favours of Maſter Thomas Henderſon. 401

. . . . . .

RATIFICATION in favours of the Laird of Brodie of his Decreet of the Committee of Eſtates. 402

. . . . . .

RATIFICATION in favours of the Lord Lea of his Rights and Infeftments of the Baronie of Lochrenie. 403

. . . . . .

RATIFICATION in favours of Sir Archibald Primeroſe of his Office and gift of Penſion. 404

. . . . . .

RATIFICATION in favours of the Earle of Glencarne. 405

. . . . . .

COMMISSION for viſiting the Univerſity of Aberdene. 406

. . . . . .

Apud Edinburgh,

II DIE MARTII, A. D. M,DC,XLVIII.

IN THE FIRST SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES, By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Edinburgh, and begun the ſecond of March 1648.

II MARTII.

ACT anent the election of the Earl of Lowdoun Lord Chancellour, to be Preſident of this Seſsion of Parliament.

1 THE Eſtates of Parliament now Conveened in this firſt Seſſion of the ſecond Trienniall Parliament, Taking to their conſideration the 50. Act of the Kings Majeſties ſecond Parliament holden at Edinburgh in Anno 1641. Intitulate, Act anent the Election of the Preſident of Parliament, Together with the 42. Act of the laſt Seſſion of the firſt Trienniall Parliament of the date at Edinburgh the 27. day of March 1647. years, Intitulate, Act anent the Election of ane Preſident of Parliament for ilk Seſsion of Parliament; Explaining the former Act concerning the time of the endurance of the Preſident of Parliament. And according hereunto, [Johne] Earl of Crawfurd and Lindſay, Preſident of the laſt Parliament having miniſtred the Oath of Parliament, to the haill Members of Parliament preſent: And repreſented to them the foreſaids two Acts of Parliament abovementionate whilks were read in audience of Parliament. The ſaids Eſtates of Parliament after voycing did elect and chooſe John Earl of Lowdoun High Chancellour of Scotland, to be Preſident of this Seſſion of Parliament; And to precede thereintill as Preſident of Parliament during this Seſſion of Parliament, and while the taking of the Oath of Parliament and election of another Preſident in the next Seſſion of Parliament, whilk next Seſsion of Parliament is to be appointed by the laſt Act of this Seſsion of Parliament, when this Seſsion ſhall diſſolve conform to the foreſaid 42. Act of the laſt Parliament of the 27. of March, 1647. years.

III MARTII.

ORDINANCE of Parliament anent the Election of Commiſsioners for Shires.

2 THE Eſtates of Parliament Ordains, Enacts and Statutes in all time coming, That no Nobleman, nor other perſon, who hath not voice in the Election of Commiſsioners of Shires; As ane Baron or Free-holder, ſhall hereafter ſit or be preſent with the Barons and Free-holders, at the Election of the ſaids Commiſſioners, except the Clerk of Court, With certification that any election otherwayes made, ſhall be null and ineffectuall.

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PROTESTATION Earl of Murray for Precedencie.

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IV MARTII.

PROTESTATION Earl of Eglintoun, contra the Earl of Glencairn, with the Earl of Glencairns anſwer there-againſt.

. . . . . .

VII MARTII.

ACT in favours of the Earl of Nithiſdail. 3

. . . . . .

IX MARTII.

ACT of approbation to the Earl of Lowdon Lord Chancellor and others. 4

. . . . . .

ACT of approbation to Sir John Cheiſlie. 5

. . . . . .

X MARTII.

[ANSWER to the Engliſh Commiſſioners Deſire.

THE Eſtates of Parliament having received and conſidered certain Papers and miſſive Letters from the Commiſſioners of the Honorable Houſes of the Parliament of England, They did nominate and appoint ſome of every Eſtate to be a Committee for taking the ſame Papers and Miſſives into their conſideration, to whom the ſaid Commiſſioners may make their Addreſſes, concerning any thing they have to offer to the Parliament; and deſire the Lord High Chancellor, Preſident of the Parliament, to return this Anſwer.]

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XI MARTII.

6 ACT anent the Excise.

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XV MARTII.

[LETTER from the English Commissioners to the Earl of Loudoun Chancellor.

My Lord,

WE have in charge from Both Houses of the Parliament of England, to communicate unto the Honorable, The Parliament of Scotland, their Answer (herewith sent you) unto some former Papers of the Commissioners of this Kingdom, touching the Disposing of the Person of the King: Upon consideration whereof, We doubt not but their Proceedings and Intentions will be cleared from some Mistakes which we perceive are apprehended by many in this Kingdom. Thus desiring that your Lordship will take the first opportunity to present it, We shall onely adde, that we are, My Lord,

Your Lordships humble Servants,

C. Notingham. Stamford. Bryan Stapilton. Robert Goodwyn. William Ashhurst. John Birch.]

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XVII MARTII.

[COMMISSION to a Committee for preventing dangers that may come to this Kingdom by the garresoning of Berwick or Carlisle by the malignants sectaries or others.

Names of the Committee — Duke of Hamilton, Marquess of Argile, Earl of Crawfurd Lindsay, Earl of Lauderdale, Earl of Lanerick, Earl of Callender, Earl of Traquair, Earl of Roxburgh, Innerpeffer, Warriston, Lee, Humbie, Collington, Arnestoun, Gartland, Innes, Edward Sidserfe, Alexander Wedderburne, Patrick Lesly, John Bell, James Robertson, Thomas Macbirnie, &c.]

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XX MARTII.

7 ORDINANCE in favours of the Heritors of Kirklands.

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XXVII MARTII.

ANSWERIS of parliament To the desyres of the Cōmissioneris of the generall assemblie Represented by thame to the parliament

THE Estates of parliament now conveened in this first sessioune of the second trienniall parliament HAVEING considdered the desyres eftirmentionat of the Cōmissiouneris of the gñall assemblie represented to thame THEY efter full debaite and consideraōun concerneing the samen FOR Ansr to the first desyre Bearand That the groundis and causes for vndertaking of warre may be cleared to be so just as that all who are weill affected may be satisfeid in the lawfulnes and necessitie of þe ingadgment And þt nothing be acted in reference to a warr befoir the lawfulnes of the warre and the state of the question be aggreed vpon Declaires That the groundis and cauſſ of vndertaking of warre shall be cleared to be so just as that all who are weell affected may be satisfeid in the laufulnes and necessitie of the ingadgment And declaires that they will be verie cairefull that nothing be acted in reference to a warr during the conference and vntill the same be Reported to the parliament.

2. ITEM For Ansr to the Second desyre Bearand That as the Breaches of the Covenant by the prevalent pertie of Sectaries in England are evident So Wee desyre and hope that according to the Treatties It may be condiscendit vpone and declaired by the parliament what are the breaches of peace which they take to be a ground of warr and that the reparatioune þrof may be socht THE ESTATES of parliament Thinkis fitt That the breaches of the Covenant and Treatties be represented And the seiking of reparatioune / And the best tyme and maner þrof considdered And appoyntis the Cōmittee of 24. or such of þr number as they sall appoynt to doe the same

3. ITEM For Ansr to the Thrid desyre bearand That thair may be no sick quarrell or ground of the warr as may brek the vneon betweene the Kingdomes or may discourage or dissobleidge the presbyterian pertie in England who continew firme in adheering to the league and Covenant THE SAIDIS ESTATES of parliament Declaires That this kingdome will be so farr frome making warr against the kingdome of England That any ingadgment they sall enter into / sall be for strenthening the vneon betuixt the kingdomes And for incouradgeing the presbyterians and weelaffected in England

4. ITEM to the fourt desyre That if the popish / prelaticall / or malignant pertie sall againe rysse in

Armes This Nation and thair armies may be ſo farr frome joyneing or aſſoſciating with thame That on the contrarie They may oppoſe them and indeavour to ſuppres thame as enemies to the caus and covenant vpone the on hand alſweell as ſectaries on the vther THE ESTATES of parliament agrees to the ſubſtance and mater of this fourt deſyre And Remittis to theſe who are to be vpon the conference for ſtateing the question To explaine the same.

5. ITEM to the ffyft deſyre Bearand That ſeing the parliamentis vndertakinges ſould be in the first place for Religion Wee deſyre that his Mãties laite conceſſiounes and offeris As they have bene by the Church So may be by the parliament Declaired vnſatisfactorie Whairby the parliament may give a further evidence of the realitie of þr intentiounes for the good and ſafetie of Religion THE ESTATES of parliament for Ansr to this deſyre Declaires That vpone the aggreement on the haill mater and ſtate of the question They will declaire his mãties conceſſiounes concerneing Religion Not to be ſatisfactorie

6. ITEM to the Sixt deſyre That the parliament may be pleaſed not to fix or ſetle vpone any ſuch ſtate of a question as dothe not conteine ſecuritie and aſsurance To be had frome his Mãtie by his ſolemn oath vnder his hand and ſeall That he ſall for himſelff and his ſucceſſor's conſent and aggree to actis of parliament Injoyneing the league and covenant and fullie establishing preſbyterian government / directory of worship / and confeſsion of faith in all his Mãties dominions And that his Mãtie ſall never mak any oppoſitioune to any of these or endeavour any change þof And that this ſecuritie be had frome his Majestie Befoir his reſtitutioune to the exerciſe of his royall power. Which deſyre wee propone for no vther end Bot becaus wee cannot ſie how religion (which hath bene And wee trust ſall be the principall end of all the vndertakingis of this Nation) can be vtherwayes ſecured Bot that without this ſecuritie It ſall be in verie great hazard THE ESTATES of Parliament for Ansr to this Declaires That ſince Religion hath bene and they trust ever ſall be the principall end of all the vndertakinges of this kingdome So they will be cairefull That the preſent queſtion to be ſtated ſall conteine ſecuritie and aſsureance to be had frome his Mãtie be his ſolemn oath vnder his hand and ſeall That he ſall for himſelff and his ſucceſſoris Give his Royall consent to pas actis of parliament Injoyneing the league and Covenant eſtablishing preſbyterian government The directory of worship and confession of faith in all his Mãties dominiones And that his Mãtie Sall never mak oppoſitioune to any of theſe nor indevour any change þof And as to that claus vĩz That this ſecuritie be had frome his Mãtie beſoir his Restitutioune to the exerciſe of his Royall power THE ESTATES of parliament Remittis this to theſe on the conference And who ſall be appoynted for drawing vp the state of the question To find out ſome more ſmooth expreſsion in place þof with the lyke ſecuritie to Religion.

7. ITEM to the sevint deſyre Bearand That for the same end of ſecureing Religion (which is profeſsed to be the principall caus of ingadgment) And for ſecureing all the vther endis of the Covenant Suche perſones only may be intrusted by the parliament to be of thair cõmitties or armies As have given constant proofe of þr integritie and faithfulnes in this caus and against whome thair is no just caus of exceptioune or jealouſie That ſo wee may the more confidentlie encourage our flockis and congregatiounes to follow the caus of God in thair handis And not to doubt of the fidelitie of thoſe who ſall be intrusted by the parliament THE SAIDS ESTATES of parliãt Declaires That they will be cairefull That none shall be imployed in the Cõmand of thair armies nor in þr Cõmittees Bot ſuch as are of knowne integritie and good affectioune to the caus And against whome thair is no just caus of exceptioune.

8. ITEM to the Aught article or deſyre THE ESTATES of parliament Declaires That to the groundis of thair ingadgment and vndertaking ane oath ſall be ſubjoyned wherin both in the frameing of it and vtherwayes The Churche ſall have thair dew interest AND the ſaidis Estates of parliament Deſyres the Cõmissioune of the Churche To appoynt ſome of þr number To meet with ſuch of that Cõmittie of parliament of 24. As ſall be appoynted be the ſame Cõmittee for the conference and ſtateing of the question ffor agreeing vpone the groundis of ane ingadgment and drawing vp ſuch a state of a question as may vnite this Nation in ane vnanimous vndertaking of ſuch deuties as are requiſite for the Reformation and defence of Religion The ſaifetie honour and happines of the King and his posteritie and the gude of this kingdome

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ACT in favours of Colonell James Weymes. 8

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XXIX MARTII.

[ANSWER of Parliament to the repreſentation of the Commiſſion of the generall aſſembly of their ſence on the Parliaments *anſwer* to their eight deſires.]

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I APRILIS.

[ANSWER to the English Commiſsoners Paper read and remitted to a Committee that are to consider of this and other Papers given in by the English Commiſsioners.]

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IV APRILIS.

ACT anent allowance of Quarters.

9 THE Eſtates of Parliament, Statutes, Ordains and Declares that Troopers and Souldiers ſhall have onely allowance in their Quarterings from the time they enter to the Shires and Burghs, where they have their orders for Quartering and during their abode there, off theſe Shires and Burghs where they ſtay and are Quartered and no farther. And ordains the general Officers to give Orders to their inferiour Officers for this effect; As alſo Ordains the Generall Commiſſar, to make intimation hereof to his Deputies and others, having charge under him for granting Quarters, That this may be punctually obſerved by the Troopers and Souldiers in their Quarterings aforeſaid.

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V APRILIS.

10 ACT for ſuppreſſing of the Iriſhes Ilanders, and their aſſociates.

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VIII APRILIS.

[ANSWER to the English Commiſsioners.

AT Edenburgh the Eighth day of April, the year of God, 1648. The Eſtates of Parliament recommends to the Lord Chancellor, Preſident of Parliament, to make known to the Commiſſioners from the Parliament of England, That the opinion of the Committee of an Anſwer to be returned to the Letters and Papers given in by them, was this day, being the laſt day of the week, preſented and read in Parliament; But according to the order kept in this Parliament, the Anſwer is taken to the conſideration of the ſeveral Eſtates till the beginning of the next week; at which time Anſwer will be given to them.]

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XI APRILIS.

ACT anent the Reſolutions of Parliament concerning the breaches of the Covenant, and Treaties betwixt the Kingdoms of Scotland and England, and demands for reparation thereof.

THE Eſtates of Parliament having tane to their 11
ſerious conſideration the danger this Kingdom is in, With the duties to be done thereupon, in relation to Religion, King, and Kingdoms with the report of the Committee appointed by them for conſidering thereof: They after full debate concerning the ſame: And anent the breaches of Covenant, and Treaties, betwixt the Kingdoms of Scotland, England, and Ireland, and reparation to be demanded thereupon; Do conceive it not fit to inſiſt upon any violation made of the large Treatie, concerning the remainder of the money due upon the brotherly aſsiſtance, or the Treaty for the Army in Ireland by the Houſes of the Parliament of England when they were in freedom; The not performance then, was hindered chiefly by the influence and prevalency of the Independent party. The Eſtates therefore, do not here mention the not payment of the remainder foreſaid of the brotherly aſsiſtance, and the neglect of the Army in Ireland, for whoſe ſervice their was due in Anno, 1643. 312000 l. ſterling, conceiving theſe fitter to be done in a Letter, apart. Neither do the Eſtates ſpeak of the diſavowing of the Treaty of the 28. of November, 1643.

BUT the Eſtates of Parliament findes by the large Treaty betwixt the Kingdoms of Scotland and England; It is provided, that if any Armies ſhall be levied in any of the Kingdoms, and the neighbour Kingdom thereby harmed or wronged, That then the Eſtates of the Countrey by which it is done, ſhall be obliged to perſue, take and puniſh the offenders with all rigour.

THE Kingdom of Scotland hes divers times deſired the performance of this Article; And in particular, the parliament of Scotland upon the 16. January 1647. Did deſire a competency of entertainment, to be given by England for maintenance of the Forces which Scotland had for a long time, and was ſtill neceſsitate to keep up for ſubduing the Iriſh Rebels Subjects to the Crown of England, whom by the large Treaty England is obliged to ſuppreſs.

TO which the Houſes in their Letter of the 27. January, ingaged themſelves to the Parliament of Scotland, That the Engliſh Garriſons being delivered up, and the Scots Army marched out of

England, they ſhould take that deſire into ſpeedy conſideration. Upon the 16. Julii, 1647. The Scots Commiſsioners deſired the performance hereof, yet through the prevalency and power of the Sectaries, no reparation, ſatisfaction, nor anſwer was given.

ITEM, The Eſtates findes, that the breaches of Covenant is declared by the General Aſſembly, 20. Auguſt, 1647. and ſince by their Commiſsioners; inſtead of Reformation and defence of Religion, that Reformation which by the Covenant ought to be endeavoured, is reſiſted and hindered; inſtead of extirpation of Prelacy, Hereſie, and Schiſme: theſe laſt two encroaching, yea, offering violence to the Rights, Priviledges and Authority of Magiſtracy, are preſerved and tolerated. In the Propoſals of the Army, Epiſcopacy was hinted at: And in the new Propoſitions an almoſt unlimited Toleration of Hereſie and Schiſme is endeavoured to be ſetled, under which, moſt horrid Blaſphemies, Hereſies, and Schiſmes are openly profeſſed and allowed; inſtead of maintaining the Rights and Priviledges of Parliament, and preſerving of his Majeſties Perſon and Authority in the defence of the true Religion and Liberties of the Kingdoms, That the world may bear witneſſe of our Loyaltie, and that we have no intention to diminiſh his juſt power and greatneſſe; they have diſobeyed and threatened the Houſes of Parliament, yea, marched up againſt them in ane hoſtile manner; they have impriſoned and baniſhed faithfull Members and placed a gariſon in Whytehall: They violently ſeazed on the perſon of the king, and carried him away againſt his own will, and the declared reſolutions of both Kingdoms, kept him within their Army, and under ſtrong guards untill he was forced to flee for ſafety of his life out of Hampton court, As he himſelf declared in his meſſage from thence; And now by their power and prevalency he is committed cloſe priſoner, and Votes paſt, making it High Treaſon to make any further application to him, or to receive any Letter or Meſſages from him, yea, it is declared they will repoſe no more truſt in him. Theſe who by the Covenant ought to be brought to condigne tryall and puniſhment (for hindering the Reformation of Religion, dividing the King from his People, or any of the Kingdoms from another, or making any faction or party among the People, contrary to the League and Covenant) have been protected and aſſiſted, and theſe perſecuted, who by the Covenant ought to be defended. Inſtead of a firm peace and union betwixt the Kingdoms, a breach hath been endeavoured, ſo that there is not ane Article of the Solemn League and Covenant which hath not been ſinfully and dangerouſly violated before God, Angels and men by the prevalent party of Sectaries, and their adherents, as follows.

FIRST, the 1. Article of the Treatie is broken, For albeit it was Ordained, that the Solemn League and Covenant ſhould be taken by both Kingdoms, and that by a joynt Declaration of both Kingdoms it is injoyned to be taken; otherways it is declared, that the not takers be publick enemies to Religion and Countrey, and that they are to be cenſured and puniſhed as profeſſed Adverſaries and Malignants, yet notwithſtanding by the prevalent party of the Sectaries and their adherents; It is not only laid aſide in the new Propoſitions, and no execution nor publick orders for taking the ſame throughout the Countrey; but on the contrary many perſons of eminent and publick truſts and in the Army and others in the Countrey, have never taken, nor have not been urged to take the ſame.

THE 8. Article of the Treaty is violated, in ſending Bills and Propoſitions to the King, not onely without the conſent of Scotland, but contrary to the expreſs Declaration of the Commiſsioners of Scotland according to their inſtructions. And in the 92. page of the Parliaments late Declaration, They affirm that the 8. Article of the Treatie is onely to be obſerved during the War, tho in expreſs words, the Houſes in their Letter of the 27. of January, 1647. have agreed to obſerve that Article after the removall of our Army out of England.

THAT notwithſtanding the ingagement of the Houſes 27. January, 1647. That none having warrant from Scotland ſhould be debarred from acceſſe to the King, except ſuch as are diſabled by the Propoſitions of both Kingdoms, yet not only divers having warrant from the Parliament of this Kingdom and their Committees, have been debarred; and in particular, the Earl of Lauderdail a publick Miniſter, wes contrary to the Law of Nations debarred and violently removed from Wooburn, where his Majeſtie then was, and not ſuffered to have acceſs to him; and the reparation therein was deſired by the Committee of Eſtates, none wes given.

THE Commiſsioners of Scotland alſo gave in a Paper to the Houſes, deſiring to know whether their Votes againſt all application to the King, did extend to his Majeſties Subjects of Scotland, to debar ſuch as are warranted by the Parliament of this Kingdom, or their Committee from free acceſſe to, or intercourſe with the King, or that his Majeſtie ſhould be hindered from, and ſo made incapable of the exerciſe of any Act of Government, in relation to the affairs of Scotland.

TO which the Houſes did return no Anſwer, but in the moneth of March laſt, their Commiſsioners gave in to the Parliament a large Declaration claiming the ſole diſpoſing of the Perſon of the King in England.

UPON conſideration of theſe Breaches, the Eſtates of Parliament do conceive Religion, the King, Monarchicall Government, and the Priviledges of Parliament to be eminently wronged and endangered to be ruined: And if that Army and their Adherents ſhall ſtill prevaile, this Kingdom cannot expect ſecurity from them who have been the underminers and deſtroyers of Religion, Liberty, and Covenant in England. So that whilſt in the neighbour Kingdom the horn of Malignancie and Sectaries is exalted, The beſt-affected borne down, Reformation ebbing, Hereſie and Schiſme flowing; It can hardly be marvelled at by any perſon of prudence and diſcretion, if we be full of ſuch feares and apprehenſions as uſe to be in thoſe who dwell near a houſe ſet on fire, or a family infected, eſpecially being taught by the ſad experience of the Prelatical times, how eaſily a gangrene on the one half of this Iland may ſpread through the whole.

THEREFORE the ſaids Eſtates of Parliament thinks fit that this reparation be deſired of the Houſes of the Parliament of England.

1. THAT an effectual courſe be taken by the Houſes for enjoining the Covenant to be tane by all the Subjects of the Crown of England conform to the firſt article of the Treatie, and conform to the Declaration of both Kingdoms in anno 1643. By which all who would not take the Covenant were declared to be publick enemies to Religion and the Countrey, And that they are to be cenſured and puniſhed, as profeſſed adverſaries and malignants. And that Reformation of, and uniformity in Religion be ſetled according to the Covenant, that as the Houſes of the Parliament of England have agreed to the Directory of Worſhip, ſo they would take a reall courſe for practiſing thereof by all the Subjects of England and Ireland. That the Confeſsion of Faith tranſmitted from the Aſſembly of Divines at Weſtminſter to the Houſes be approven, and the Presbyterian government, with a ſubordination of the lower Aſſemblies to the higher be ſetled and fully eſtabliſhed in England and Ireland, and that effectuall courſe be tane for ſuppreſſing and extirpating of all Hereſies and Schiſms, particularly Socinianiſme, Arminianiſme, Arrianiſme, Anabaptiſme, Antinomianiſme, Eraſtianiſme, Familiſme, Browniſme, and Independencie; and for perfecting of what is yet further to be done for extirpating of Popery and Prelacy, and ſuppreſſing the practiſe of the Service-Book commonly called The Book of Engliſh Common Prayer.

2. THAT conform to the former deſires of this Kingdome, the Kings Majeſty may come with honour, freedome and ſafety, to ſome of his Houſes in or near London, that the Parliaments of both Kingdomes may make applications to him for obtaining his Royall aſſent to ſuch Deſires as ſhall be by them preſented to him for eſtabliſhing Religion as is above expreſt, and ſetling a well-grounded Peace.

3. AND to the end that all the Members of both Houſes who have been faithfull in this Cauſe, may freely and ſafely return and attend their charges, The Parliament may ſit and vote with freedome and ſafety, Both Kingdoms without interruption or diſturbance may make applications to his Majeſty, and the ſetling of Religion and Peace may not be longer hindered and obſtructed: It is deſired by the ſaid Eſtates of Parliament, that the preſent Army of Sectaries under the Command of Thomas Lord Fairfax of Cameron be disbanded, and none imployed but ſuch as have or ſhall take the Covenant and are well-affected to Religion and Government; excepting [from] the ſaid Disbanding, the Garriſons neceſſary to be kept up by the Parliament of England for ſecurity of that Kingdom, which are deſired to be commanded by ſuch as have or ſhall take the Covenant, and are well-affected to Religion and Government.

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XII APRILIS.

ACT in favours of the Generall Commiſſar. 12

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[ANSWER of the Parliament to the papers given in by the English Commiſsioners.

THE Eſtates of Parliament having peruſed and conſidered the ſeveral Papers given in to them, and to the Committee of Eſtates by the Commiſſioners of Both Houſes of the Parliament of England ſince their laſt coming to this Kingdom, do finde at the arrival of the ſaid Commiſſioners, and upon their firſt Addreſs to the Committee of Eſtates; Although they ſhew no Commiſſion, nor had any Credential Letters directed to the Committee, yet the Committee of Eſtates did appoint ſome of their number to meet with them, who did accordingly receive from them what they then thought fit to offer: And when they made their Addreſs to the Parliament, The very days wherein their Letters were given to the Lord Chancellor (to whom they ſent the ſame) they were inſtantly read in Parliament, and a Committee appointed to take in conſideration what was offered by them, that upon report thereof an anſwer might be returned by the Parliament.

WHEREAS your Lordſhips are pleaſed in the name of the Honorable Houſes of the Parliament of England, to expreſs their deſires to preſerve a good underſtanding and Brotherly Agreement betwixt the two Kingdoms; The Eſtates of Parlia-

ment do return this Anſwer, That as the actions of this Kingdom have been real proofs of their deſires and willingneſs to entertain a good Correſpondence and Amity betwixt the two Nations, ſo they are ſtill reſolved to keep inviolably on their part the happy Union to which both kingdoms are Solemnly engaged by the Covenant and Treaties; Yet they have thought fit to let them know, That this kingdom hath reaſon to be very ſenſible that the neceſſary and juſt deſires given in by their Commiſſioners by Warrant of the Parliament and their Committees, to the Honorable Houſes of the Parliament of England, concerning Religion, the Kings Majeſty, and Intereſt of this kingdom, have had no ſatisfactory Anſwer as yet.

AND for the particular deſires concerning Captain Wogan and his Troop, alleaged to be in this kingdom, and demanded in the Paper of the 21. of March, upon the Act of Pacification and Oblivion in the large Treaty in Anno 1641. as Delinquents, and who have been in Arms againſt the Parliament of England; And the Paper of the 31. of March, demanding the aforeſaid Captain Wogan, Sir Philip Muſgrave, and Sir Thomas Glemham, to be delivered upon the ſame Act of Pacification, as thoſe who have riſen in Arms and made War againſt the Parliament of England: If your Lordſhips will be pleaſed to peruſe that Treaty, and Act of Pacification to which the Papers given in do relate, It will clearly appear, That none can be remanded or delivered by this kingdom, but ſuch onely of the Engliſh Nation who have incenſed the King of Scotland againſt the kingdom of England, all other criminals being referred to the Laws.

AND the Eſtates of this Kingdom are confident that your Lordſhips will not miſunderſtand the not returning of an Anſwer ſooner to your Papers and Deſires, ſince the many other preſſing and weighty Affairs of this kingdom, which have ſtill been before the Parliament ſince your coming, hath been the onely Reaſon of this delay.

THE Eſtates of Parliament give warrant and command to the Committee of Twenty four to deliver to the Engliſh Commiſſioners the Anſwer this day paſt in Parliament, and to appoint ſome of their number to meet with the Engliſh Commiſſioners, and to aſſert the Parliaments anſwer, and to report what further the Commiſſioners of the Honourable Houſes ſhall offer to the conſideration of the Parliament.]

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XIII APRILIS.

ACT in favours of Thomas Cunninghame and his Compartners.

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ACT in favours of Doctor John Sharp. 14

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XV APRILIS.

ACT concerning the Town of Edinburgh, Leith, and the Suburbs, to be free of locall Quarterings.

THE Eſtates of Parliament having heard and conſidered the Supplication of the Proveſt, Baylies, and Counſail of the Burgh of Edinburgh, ſhewing the late three ſeverall Infections in the Town of Leith, and that notwithſtanding thereof, there are a great number of Souldiers come to be quartered there; whilk if permitted, it will put that Town and the Inhabitants thereof in ſuch diſorder, that neither the Magiſtrates nor thoſe intruſted with the charge of the ſick people there, can diſcharge that duty expected from them. And therefore deſiring that preſent order may be given for removing of the foreſaid Souldiers to ſome other Quarters in the Country, and to diſcharge all locall Quartering in this place where the Parliament now ſits, and whereunto the Lieges reſorts, as the Supplication bears: The ſaids Eſtates of Parliament ordains theſe Souldiers that are now quartered in and upon the Town of Leith, to be removed from the ſame; And for this effect, they remit to that Committee appointed for Quarterings, to take ſome preſent courſe for removing of the foreſaids Souldiers from Leith, by the advice of the Generall Officers; and by the ſame advice for Quartering of the ſaids Souldiers in ſome ſick other parts as the Committee with advice foreſaid ſhall find juſt and equall. And for this effect ordains the foreſaid Committee to meet this afternoon for taking this buſines in conſideration: And farder the Eſtates of Parliament ſtatutes and ordains, that there ſhall be no Souldiers locally quartered in Edinburgh, Leith, Cannogate, or any of the Suburbs, during the ſitting of this preſent High Court of Parliament, except upon orders from the Parliament, whereanent thir preſents ſhall be ane ſufficient warrand. 15

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ACT concerning the deſires of the Commiſſioners of the General Aſſembly. 16

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XVIII APRILIS.

ACT for putting of the Kingdom in ane Poſture of War for Defence, and conſtituting the Committees of War for the ſeverall Shires.

THE Eſtates of Parliament preſently conveened, taking into their ſerious conſideration the dangers 17

imminent to the true Proteſtant Religion, to the Nationall Covenant, and ſolemn League and Covenant, his Majeſties Perſon and Authority, and peace of his Kingdoms from the prevalency of Sectaries and their adherents, and from Papiſts, Malignants and Prelaticall party; and conſidering the occaſion thereby given not only to the publick Enemies of Religion abroad, but even to any diſaffected perſons at home, to labour ſo far as in them lies to ſubvert Religion and Government, and diſturb the peace of this Kingdom; And finding themſelves obliged in duty and conſcience, to make ſpeedy uſe of all means, for preventing the practiſes of ſuch, for preſerving of the peace, and keeping of His Majeſties Subjects in a dutifull obedience to the Laws and publick Judicatories, and in a Chriſtian unity among themſelves. They have reſolved that this Kingdom ſhall be preſently put into a poſture of defence, and for the better and more ſpeedy effectuating thereof, they have nominate and appointed, and hereby nominates and appoints the perſons particularly underwritten, to be Colonels of Horſe and Foot within the ſeverall Sheriffdoms and bounds thereof, aſwell to Burghs as Landward reſpective after ſpecified, viz. For the Sheriffdom of Edinburgh principal to Landward, the Earl of Dalhouſhie or his ſon, the Lord Balmerino or his ſon, the Lord Cranſton, and the Laird of Collingtoune: For the Conſtabularie of Haddingtoun, and Bayliary of Lauderdail, the Earls of Wintoun and Lauderdail, the Earl of Tweddell or his ſon, the Laird of Waughtoune, and the Lord Humbie. For the Sheriffdom of Peebles, the Laird of Preſtoungrange, and the Laird of Dawick younger. For the Sheriffdom of Berwick, the Earl of Home, the Earl of Hadingtoune, the Laird of Langtoune, and the Laird of Plandergaiſt. For the Sheriffdoms of Roxburgh, Selkirk, and that proportion of Dumfreis, which the Earl of Bucleuche had in the Act of Poſture in Anno 1643. The Earls of Roxburgh, Bucleuche, Lothian, Traquair, and Sheriff of Tevitdaill. For Lanirek, the Duke of Hammiltoun and the Earl of Lanirek. For Dumfreis, the Earl of Nithiſdail, the Earl of Dumfreis, the Laird of Kelhead, the Laird of Lag elder or younger, and the Laird of Mouſwall. For the Sheriffdom of Fiffe and Kinroſſer, the Earls of Crawfurd, Rothes, Dumferling, the Lords Sinclair, Brughlie, Balcarrais and Elcho. For the Sheriffdom of Forfar, the Earl of Buchane, Vicount of Dudope, the Lord Carnegie, the Lord Brechen, the Lord Spynie, the Lord Loure. For the Sheriffdom of Perth, the Earls of Athoil, Tullibardine, Perth; the Lord Couper, the Lord Cardros, the Laird of Inchmertene, the Laird of Balthayok. For the Sheriffdom of Stirling and Clakmannane, the Earl of Callender, the Laird of Polmais, and the Laird of Clakmannane youngeſt. For the Sheriffdom of Lithgow, the Lords Levingſtoun and Bargany. For the Sheriffdoms of Argyle and Dumbartan with the Iles, except the Lewis with Moidart, Noidart and Arſcet and Lochaber, the Marquis of Argyle, the Laird of Glenurquhy younger, and the Laird of Kilbirnie. For the Sheriffdom of Bute, the Sheriff of Bute, and John Hamilton. For the Sheriffdom of Wigtoun and Stewartry of Kirkeudbright according to the Act of Poſture aforeſaid; The Vicount of Kenmure, the Lord Garleis and Laird of Garthland. For the Sheriffdoms of Air and Renfrew, the Earl of Loudoun Lord Chancellor, or the Laird of Ceſnok, the Earl of Glencairne, the Earl of Eglinton or Laird Montgomery, the Earl of Caſſillis, the Lord Roſſe, and the Lord Cochrain. For the Sheriffdoms of Aberdeen and Kincardin, the Earl of Arroll, the Earl of Merſhel, the Vicount of Frendraught, the Lord Halkertoun, the Maſter of Forbes, the Laird of Philorth, the Laird of Morphie; Colonel Harie Mauld, and George Keith. For Orknay and Zetland, the Earl of Morton, and the Lord Dalkeith. For the Sheriffdom of Kaithnes, the Laird of Murkill, and Francis Sinclair uncle to the Earl of Caithnes. For the Sheriffdoms of Inuernes and Cromartie, except theſe parts which by the former Act of Poſture are joyned either to Argyle, Elgine, or Sutherland, Mac Kenzie ſon to Sir John Mackenzie of Tarbet, or the Laird of Ridcaſtell, ſir James Fraſer, the Laird of Kilrawich and Sheriff of Cromartie. For the Sheriffdoms of Elgine and Nairne with that part of Inuernes joyned with them in the Act of poſture aforeſaid, the Earl of Murray, the Sheriff of Murray, the Lairds of Innes elder or younger, the Laird of Duffus. For the Sheriffdom of Sutherland with its proportion of Inuernes contenit in the Act of Poſture in Anno 1643. The Earl of Sutherland, and the Lairds of Balnagoune and Lamlair. For the Sheriffdom of Bamff, the Earl of Findlater and the Lord Bamff. And for the town of Edinburgh, the Proveſt of Edinburgh.

AND ſiclike the Eſtates of Parliament do hereby nominate and appoint the perſons underwritten, to be Commiſsioners and Committees of War within the ſeverall Shires, as well to Burgh, as Land; In manner and to the effect following, that is to ſay, For the Sheriffdom of Edinburgh principal, the Earl of Bucleuche, the Earl of Lawderdail, the Earl of Louthian, the Earl of Dalhouſſie and his ſon, the Lord Borthuik, the Lord Roſs, the Lord Torphichen, the Lord Cranſton, the Lord Balmerino, the Lord Forreſter, the maſter of Balmerino, The Laird of Inuerleeth, ſir William Nisbit, Thomas Mudie, ſir John Couper, Grantoun, Mr. John Ingliſh, Ingliſhtoun, Haltoun, Dalmahoy elder and younger, Bonytoune, Beavelaw, Scottiſtarvet, Rickartoun, ſir Archibald Johnſtoun of Warrieſtoun, Babertoun, Colingtoun, Wodhall, Edward Edgar, Cragmiller, Niddrie, Libertoune, Lughtoune elder and younger, Drum, David Maccollo, Maſter

William Little, Alderſtoune, Poltoune, Clerkingtoune, elder and younger, Preſtoungrange, Temple, Arniſtoun, Lochquarrat, Samuel Mitchel, Halheriote, Cruikstoune, ſir Harrie Nisbit, Cranſtoneriddel, Halgairdis, Torſons, ſir William Dick, ſir Patrick Hammiltoun and his ſon, Fordell, Southſide, Cokpen, William Murray of Hermiſtoun, Robert Porteous, the Laird of Ridhall younger, Alexander Calderwood, Cliftounhall, L. Smetoun, L. Newtoun, L. Staniehill, ſir Thomas Thomeſon of Dudingſtoun, Thomas Megget, Hawthorndean, Robert Penman, Ja. Sandilandis of Muriſdykis, Patrick Scot in Sheriffehall, James Dowglas of Dykis, Mongtoun, James Roucheheid, M. Robert Smith, John Trotter of Mortounhall, George Foullis of Ravilſtoun, Pilrig, Major William Murray, ſir John Smith, James Eleis, Lany, Cambo, Bruntisfield, Kincaid of Warieſtoun, James Brown Baylie of Muſſleburgh, John Hammilton, Mr. David Anderſtoun, Edmiſtoun, Ramſey of Whythill, Selmes, Mr. Samuel Johnſtoun, ſir John Hope of Craighall, Hammilton ſon to ſir James Hammilton of Prieſtfield.

ITEM, For the Sheriffdom of Fyffe, and ſeverall Presbyteries thereof, the Marquiſſe of Argyle and the whole remanent Noblemen of that Shire, and their eldeſt ſons. For the Presbyterie of Kirkcaldie, the Lord Regiſter, L. Arnote elder and younger, Bogie, Inchderny, Kirkneſſe, Fingask, Sir George Hammilton, Kirkforther, Balquharge, John Pitcarne of Uniſtoun, Finmont, Finglaſsie, Halgairdis, Caskieberrie, Grangekircaldie, Burghlie, Pitcullo, Balbirne, Balbadie, James Pitcarne of Treatoun. For the Presbyterie of St. Andrews, L. Lundie, Rires, Cambo, Nauchtoun, Airdrie elder and younger, Auchmoutey elder and younger, Erleſhall elder and younger, Balfour elder and younger, Pitmillie, Balcomy elder and younger, Sir James Lumſden of Inuergellie, Kincrag, L. Samphurd Nairn, L. Samford, Balfour, Sir John Carſtares, Ardros, Scottiſcraig, Pitlethie, Barnes, Samphurd Goldman, Randerſtoun, Lieut. Col. Borthuick, Clarimonth, Mr. James Stewart indweller in Inuerkeithing, Kynnadie, Moncrieff, Kilbrakmonth, Blebo, Balkaskie, Mr. William Bruce, Lathons. For the Presbyterie of Couper, Creiche, Forther, Craighall, Ferny elder and younger, Dunmure, Deanmylne, Lawthreis younger, Collarnie elder and younger, Sir James Scot of Tarbet, Rankeillor Macgill elder and younger, Roſoy elder and younger, Kingask, Robert Lumſden of Montquhanie, Mr. William Beatoune, Gilbert Paterſon of Litlekinhair, Sir Ja. Melvil, Aytoun of that Ilk, Ormeſtoune elder and younger, Glenturkie, Forret, Month, Darſie, Unthank, Woodmylne. For the Presbyterie of Dumfermling, Balmull, Sir James Hacket, Sir Robert Hacket, Sir John Erskene, Ballo, Cleiſh, Sir Henry Wardlaw, Tilliboil, M. Alexander Colvil, the Laird of Balbougie, Mr. Robert Bruce of Gellets, Mr. Robert Preſton Tutor of Randifuird, L. Spencerfield, Fordell, Balmouto, Grange younger, Newton elder and younger, Kinnmonth, Sir William Anſtruther and his Nephew, Lugtoune elder and younger, Alexander Spittell of Leuchert, Dowhill, Robert Logane of Couſtoune. For the Burrowes in Fyffe, James Watſone Proveſt, or James Lentroune for St. Andrewes. George Jameſone Proveſt, or David Robertſon or John Glaisford for Couper. Andro Daw, or Ninnain Hamiltoune for Carraill. James Reed or Peter Walker for Dumfermling. Mark Kinglaſsie or John Braidie for Inuerkeithing. James Law, or John White for Kirkcaldie, Monturpie or William Sympſon for Dyſert, Robert Alexander, or John Lindſay, or William Blak for Anſtruther eiſter, Peter Oliphant or David Ferrie for Anſtruther weſter. Walter Airth, or William Steinſon, or James Richeſone for Pittinwyme, John Broune or Magnus Aitoun, for Brunt Iland. James Robertſon, or George Gourlay, for Kinghorn. Andro Howieſon or Robert Howieſon for Kilrinnie, and Patrick Murray of Newtoune to be upon the foreſaid Committee for Fyffe.

ITEM, For the Sheriffdom of Linlithgow, the Lord Duke of Hamiltoun, the Earl of Hadingtoun, the Earl of Callender, the Earl of Wintoun, the Lord Levingſtoun, the Lord Torphichen, the Lord Bargany, Dundas, elder and younger, Meidhope, Bonhard, Maner, ſir Joſeph Dowglas of Pumpherſtoun, Sir Walter Murray of Levingſtoun, ſir John Hamiltoun of Boighall, Alex. Hamilton of Bynnie, Pa. Dundas of Prieſtmylne, M. John Bruce of Wray, David Dundas of Philpſtoun, M. James Eiſtoune of Couſtoun, Alex. Maxwell of Dechmont, Alex. Hammilton of Parckley, Mr. James Whythead of Park, Sir John Dundas of Newliſtoun, the Laird of Rickartoun Drumound, Mr. Ja. Hamiltoun of Weſt-Port, ſir Arch. Stirling of Carden, ſir Ja. Stewart of Kirkhill, Mr. George Dundas of Mortoun, Jo. Hamilton of Bangoure, William Hamilton, William Heriot, George Bell for Linlithgow, James Glen elder, Mr. David Hay of Wodcokdail, John Dick or James Hill for Queensferrie, William Bruce of Kincawill, Mr. Walter Dundas, Samuel Drummond of Carlowrie, ſir Alex. Seaton of Craigiehall, Mr. William Sandilandis of Hilderſtoun, Francis Durham of Duntarvie, William Montieth of Carribber, Mr. David Sibald of Kippis, Maſter James Whithead of Park, and James Carmichall of Potiſhaw, Maſter George Lawſon of Lowhell, Dundas of Dudingſtoun, James Montieth of Carſeybank.

ITEM, For the Sheriffdom of Lanerk, the Lord Duke of Hamiltoun, the Earl of Lanerk, the Earl of Carnewarth, the Lord Angus, Lord Barganie, Lord Belheavin, ſir James Lokheart of Lea, ſir Will. Baily of Lammingtoune, ſir William Car-

michael, ſir Wil. Lokhart, Gawne Hamiltoun of Raploch, Robert Hamiltoun of Torrence, John Hamilton of Gilkerſcleugh, James Winraham of Wiſtoun, Alex. Mengeis of Coulteravis, John Hamilton of Udiſtoun, James Hamiltoun of Halcraig, James Cunygham of Bonytoune, George Lokhart of Tarbrax, James Cunyghame of Cobiehauche, George Weir of Harwode, Robert Denholme of Weſtſhield, William Ballie of Hardingtoune, William Hamiltoun of Darlſerffe, James Hamiltoun of Boigis, Quentene Hamiltoune of Barncleugh, William Hamiltoune of Maynes, ſir John Cheſſie, Mr. John Carmichaell, the Proveſt and Bailies of Glaſgow, the Bailies of Lannerk, Thomas Inglis of Eaſtſheill, William Chancellor of Steilhill, Ja. Thripland in Biggar, James Dickſone of Stane, James Hamiltoune of Arnock, Silvertounhill, Neliſlands Newtoune, Overtoune, Walſtoune, Bedlay, Dolphingtoune, Bagbie, younger, Hillis, Towcorſe, Mr. John Hamiltoune of Greine, Corhouſe, Covingtoune, Kirktoune, the Lord Juſtice Clark, Kathken, Stanebyers, Hags, Allantoune Woodhall younger, Leid Hil, Ja. Gilhagie and David Spence for Rutherglen, Colonell William Lokhart, Mr. James Murehead of Bradiſholme, Mr. John Dunlope of Garinkirk, James Craford of Kipbyres, James Stevinſon of that ilk, William Bailie of Carſine, Preſtoune, Scottiſcraige, Cleilland, Wil. Lowrie, Walter Hamiltoune of Wiſhaw, Gabriell Hamiltoune younger of Weſtbarn, Patrick Hamiltoune younger of Nethertoune, Wil. Kenedy of Ochtifardell, Mr. John Lockhart of Heidis, James Somerwell of Cambuſnethen, James Hamiltoune in Lanerk, Steven Lokhart of Wickitſchaw, ſir John Maxwell of Netherpollok, ſir James Maxwell of Calderwood, ſir James Steward, William Hamiltoune of Blantyreferme, James Stewart Tutor of Caſtelmilk, and the Laird of Bagbie younger, John Scot Proveſt of Rutherglen.

ITEM, For the Shireffdome of Drumfries, the Earl of Drumfries, the Earl of Nithiſdail, the Earl of Carnwaithe, James Crichtoune Shireff of Nithiſdaill, L. Lag, L. Cloisburn Craigdarroch, Da. Macbreur of Newark, Tho. Fergusſon of Caitloche, Jo. Creichtoune of Crawfurdſtoun, Dowglas of Arkland, John Lowrie of Maxweltoune, Mr. George Blair of Spottill, John Wilſon of Croiglene, Andro Cunynghame of Snad, Archibald Johnſtoun of Clachrie, Robert Maxwell of Portrak, John Dalrumple of Waterſyde, John Grierſone of Chappell, John Hariſtanes of Craigs, Mr. John Corſane, Pa. Thomeſone of Smeidholem, Robert Dalgell of Craigdarroche, John Johnſtoun, and Thomas Macburnie, for the Burgh of Drumfreis and William Creightoune for the Burgh of Sancquher, James Dowglas of Mortune, Kelheid, Applegirth, ſir John Grierſon of Rokle, Archibald Dowglas of Dornoch, James Dowglas of Mouffils, Joh. Johnſtoun of Wamphray, Francis Scott of Cairtertoune, Matthew Wilſone of Greinhill, Walter Scot of Arkletoun, Harbert Irving of Bonſchaw, William Irving of Cleucheid, Mr. William Herreis of Hairhat, Alex. Henderſon of Broombill, John Bell of Albie, John Little of Crakney, John Bell of Crodieknow, John Carrutheris of Dormont, Jo. Johnſtoun of Salcoth, John Bell of Blaikethous, Jo. Henderſone for the Burgh of Lochmaben, and Mark Leiche for the Burgh of Annan, and John Scot of

ITEM, For the Sheriffdom of Dumbartan, the L. Balvie, Foulwood, Ardcaple, Carrik, Coline Campbell of Ardemnie, John Deneſtoun of Colgrain, William Bountene of Ardoche, William Noble of Ardardan, Walter Macfarlan of Arroquer, Aulay Mackaulay ſiar of Ardcaple, Robert Colquhoun of Ballermik, Hew Crawfurd of Cloberhill, John Colquhoune of Kilmerdonie, John Dowglas ſiar of Heyſtoune, Gartſchoir of that ilk, John Deneſtoune of Dalquherne, Robert Naper of Kilmaihew, John Sempill of Dalmok. For the Town of Dunbartan, the preſent Proveſt, and Bailies, the L. of Kilburnie, ſir John Hamilton of Orbeſtoun Lord Juſtice Clerk, Houſtoune, and Baylie of the Barronie of Lenzie.

ITEM, For the Sheriffdom of Sterling, Duke Hammilton, Marqueſſe Argyle, Earl Marr, Earl Callender, Lord Elphingſtoun, Mr. Elphingſtoun, Lieut. Generall Bailie, Stanhouſe, Quarrell, Powhous, Balgonie, Auchinbowie, Bannockburne, ſir Charles Erskene of Bandeath, John Murray of Levilandis, Col. Rea of Coltinghouſe, ſir Tho. Nicolſon of Carnok, Boquhane, Leckie, Jo. Graham ſiar of Fintrie, Culcreuch, Tho. Boqhannane, Mr. William Connyghame of Ballindalloch, L. Buchannane and his ſon, L. Drumakill, Ja. Stirling of Balderneuche, L. of Pardowes elder and younger, L. Kilſythe, Hary Elphingſtoun of Carſie, L. Woodheid younger, L. Kirkland, L. Harbetſchire, Edward Bruce of Carnok, Sir William Leviſtoun of Weſtquarter, Sir Alexander Levingſtoun of Dalders, L. of Langtoun, Cap. Normand Levingſtoun, Mr. John Rea of Beircrofts, Alexander Levingſtoun in Haning, Jo. Rankein in Slamannan, L. Polmais, L. Carden, Robert Bruce ſiar of Kynnaird, Mr. Andro Oiſwald, John Schorte Proveſt of Stirlin, Mr. John Cowane Dean of Gild, Chriſtopher Ruſſell Baily, Thomas Bruce old Proveſt, Ja. Monteith of Carſeybank, Levingſtoun of Caſtelcarie, L. Houſtoun, and Sir James Hoipe.

ITEM, For the Sheriffdom of Hadingtoun, and Bailliery of Lauderdail, the Earl of Wintoun, the Earl of Roxburgh, the Earl of Hadingtoun, the Earl of Lauderdaill, the Earl of Lanirek, the Earl of Tweddell, the Earl of Dirletoun, the Lord Eliebank, the Lord Belheavin, the Lord Yeſter, the maſter of Eliebank, the Lord Innerpeffer, the Lo.

Humby; the Lairds of Waughtoun, Ormeſtoun, Hermeſtoun, Clerkingtoun, Preſtoun, Colſtoun, Lamingtoun, Preſtongrange, Goſfuird, Steinſtoun, Alderſtoun, Bairfuird, Ruchlaw, Lufenes, Keith, Woodheid, or his ſon, Fuird, Craig, Whitelaw, Mr. John Hepburn of Smetoun, Sir Robert Fletcher younger of Innerpeffer, the Laird of Goſfuird younger, L. Kilbirnie, L. Wedderburn for Thurſtoun, Ja. Hay of Linplum, Andro Hammilton Tutor of Ridhous, Sir William Dick, Mr. William Hay, ane of the Clerks of Seſſion, the L. of Gamiſcheillis, the L. of Elphingſtoun, Mr. Cornelius Inglis, Patrick Inglis of Elvingſton, Hepburn of Nunraw, Levingtoun of Salſcoittis, Congiltoun of that ilk, Whyte of Markill, Mr. Ja. Ramſay of Fawſyde, Mr. Alexander Hay of Baro, Francis Hepburne of Beinſtoun, Pa. Hepburne of Monkrig, Trumble of Skedisbus, Geo. Wood of Newmylnes, William Cairnes of Pilmure, Jo. Purves, William Kirkwood, Robert Lawder Portioner of Kingisbarnis, Mr. Jo. Sandilandis, William Sinclair, Mr. George Seatoun, John Jowſsie of Weſtpannis, David Wilkie of Dolphinſtoun, James Hopper of Bourehouſe, or his ſon, Sir William Scot of Harden, Mr. Ro. Hairt of St. Johns Chappell, Jo. Erskene of Dryburgh, Mr. Jo. Atchefone, Alexander Riddell of Netherhartſide, Andro Ker of Moreſtoun, Mr. Alexander Home of St. Leonards, Mr. Jo. Henderſon of Kirtounhill, Thomas Halyburtoun of Binerſyde. Jo. Cokburne, Proveſt of Hadingtoun, or any ane of the Baylies thereof, for the Burgh of Hadingtoun. Ja. Lawder or William Purves, or Robert Jacksone, or any ane of the Baylies of Dumbar, for the Burgh of Dumbar. Alexander Wilkieſon or John Edmeſtoun, for the Burgh of Lawder. George Home elder, for the Burgh of Northberwick.

ITEM, For the Sheriffdom of Berwick, Sir David Home of Wedderburn, elder and younger, L. Langton, the Laird of Blaikeader, the L. of Swyntoun elder and younger, the Lo. Toftis, Sir Ja. Home of Eccles, Sir William Scot of Harden, Sir Alexander Home of Halibrunton, Sir Ja. Cokburn of Ryſlaw, Sir Jo. Home of Crumſtane, the L. of Lambertoun, the L. of Idingtoun, Jo. Home in Nynewalls, the L. of Lumſden, Mr. Geo. Home of Kimerghame, William Lyll of Baſsindean, L. of Thornydik, L. of Houndwood, L. of Blakhill, L. Cumledge, Robert Dickſon of Buchtrig, Geo. Home of Diringtoun, William Home of Linthill, Ja. Hoppringle of Torſons, Tho. Ker of Merſingtoun, Edward Trotter of Darnchefter, James Dickson of Belchefter, Geo. Home of Swanfield, Maſter Ro. Sinclair of Longformagus, John Graden of Ernſlaw, Boig of Burnhouſe, Geo. Edgar of Newtoun, Mr. Robert Hairt of St. Johns Chappell, Mr. Alexander Home of St. Leonards, Alexander Done of Newtoun, Jo. Erskene Portioner of Dryburgh, Tho. Halybruntoun Portioner thereof, Ja. Linlithgow Portioner of Ridpeth, Alexander Wilkieſon Burges of Lawder for the Burgh of Lawder, Lancelot Pringle of Leyis, Heirdrig, Plandergaiſt, Sir Ja. Nicolſon, Ro. Dickson of Overmayns, the L. of Fouldean, elder and younger, the Lord Craighall, the Lo. Humbie, Jo. Ker of Merſingtoun, Baſsindean, Coldinghamlaw, Lumſden, the Laird of Wedderlie, Edrem, Jo. Home of Weſtreſtoun, Geo. Bowmaker of Whitrig, Andro Ker of Morieſtoun, Mr. Jo. Home of Bellietaw, the L. of Cokburne, L. Trotter, Robert Craw of Eiſtreſtoun, Ja. Wardlaw, Ja. Coline in Preſton, Mr. Tho. Ridpeth of Foulſchotleys, Robert Dowglas of Winſcheils, Will. Craw of Heuchheid, George Craw of Netherbyre, and John Trotter in Fogorig.

ITEM, For the Sheriffdom of Sutherland, the Earl of Sutherland, ſir Alexander Sutherland of Duffus, ſir John Gordon of Embo, Robert Murray of Spanzidail, Robert Gray of Skibo, Robert Monro of Obſtail, Jo. Sutherland of Clyne, Hew Gordon of Drunjoy, William Gordon of Doil, Alexander Gordon of Carrell, Alexander Gray of Oſpiſdail, Walter Murray of Abirtorfs, Ro. Gray of over Skibo, Ro. Gray of Ballone, Hew Macky of Skaurie, William Macky of Bighous, and Maſter Robert Gray Proveſt of Dornoche.

ITEM, For the Sheriffdom of Clakmannan, the Marquis of Argyle, the Earl of Mar, Sir Ro. Bruce of Clackmannan, Sir Alexander Schaw of Sawchie, ſir Charles Erskene of Cambuskenneth, Sir Andro Rollok of Dunerub elder, Robert Bruce ſiar of Clakmannan, Sir Ja. Rollok, Cap. Hary Bruce, Mr. Robert Meldrum of Tullibody, Mr. Robert Bruce of Schambody, Mr. Andrew Bruce of Woodſyde, John Maſtertoun of Parkhill, William Grahame of Hiltoun, William Reid of Craigheid, Stirlin of Harbertſchyre, Sir Ja. Hope, Scottiſcraig, Sir John Erskene of Balgownie, Mr. William Blackburn, and Robert Maſtertoune Baily of Clakmannan.

ITEM, For the Sheriffdomes of Elgin and Forres, the Earls of Muray, Rothes, Dunferling, Callander, ſir Robert Innes of that Ilk, David Dumbar in Barmoth, Alex. Dowglas of Spynie, L. of findraſie L. of Duffus, ſir Robert Gordoune of Gordouneſtoune, the Shrieff of Murray elder, Proveſt of Elgine, Proveſt of Forres, James Dumbar in Alves, Ja. Spence of Kirktoune, Mr David Stewart of Newtoune, David Roſs in Erliſmylne, Laird of Brodie, L. of Grangehill, L. of Lethaime, Laird of Ballindalloche, ſir Robert Innes younger of that Ilk, M. John Dowglas of Moreſtoune, John Innes of Lewchars, James Gibſoune of Muldarie, Jo. Leſly in Rothes, John Hay of Knokandie, Mr. James Campbell of Moy, Robert Dunbar of Eaſterbin, James Dunbar of Dumphaill, James Falconer

portioner of Coultfauld, James Dunbar of Beggis, Walther Kynnard of Cowbin, ſir Loduik Gordoune, Mr. John Hay, Nicholas Dunbar, Dunbar of Burgie, and Alex. Montgomrie in Forres.

ITEM, For the Shrieffdome of Nairne, William Ros of Clava, Jo. Sutherland of Kinſtarie, Hew Roſs fiar of Clava, John Grant of Moynes, Alex. Brodie of Lethem, Hew Hay Tutor of Park, The Shrieff of Murray, Thomas Dunbar Tutor of Grange, David Roſs of Holme, William Dallas of Cantray, Mr. Alex. Dallas younger of Boutzeit, Colen Campbell of Delnies, James Cuthbert of Braichley, Jo. Innes of Edingeicht, Hew Roſs of Kilrawick, Jo. Roſs of Daltullie, Alex. Dumbar of Both, Patrick Campbell of Both. For the Burgh of Nairn John Roſs Proveſt and Jo. Tulloch.

ITEM, For the Shrieffdome of Peibles, John Lord Lintoun, Jo. Lord Zeſter, Sir Alexander Murray of Blaikbaronie, the L. of Preſtongrange, George Taite of Pirne, William Govan of Cardrona, Andro Hay of Hayſtoun, Mr. John Hay his ſon, Ja. Naſmith of Poſſo, Jo. Scot of Hundleſhope, Williame Veitch of Dawick, Sir Ja. Murray of Skirling, Ro. Huntar of Polmude, William Twedie of Wrae, Jo. Dickson of Harttrie, Mr. Alexander Dickson his ſon, the Laird of Litlehope, the L. of Rachan, William Ruſſell of Slipperfeild, Mr. Ja. Lawſone of Cairnemure, Ja. Murray of Romano, Walter Murray of Halmyre, Mr. Alexander Burnet of Carloppis, Mr. Pat. Brown of Steinſtoun, Sir Ja. Hay of Smithfield, William Lyell of Baſſindean, Mr. Will. Burnet of Barnes, Mr. Jo. Naſmith, Jo. Murray of Kirkhous, Capt. Jo. Murray of Romanno, Capt. Andro Hay, Mr. Archibald Wilkie of Halrawmure, Sir John Veitch of Dawick, the Proveſt of Peebles, or any ane of the Bailies in his abſence, Robert Hamiltoun Tutour of Cowtcoit, together with the Earls of Wigtoun, Traquair, and Tweddell.

ITEM, For the Sheriffdom of Bute, Ja. Duke of Hammiltoun, the Marquis of Argyle, the Earl of Eglintoun, the Lo. Montgomery, Sir Ja. Stewart Sheriff of Bute, Sir Robert Montgomery of Skelmurlie elder and the younger, and youngeſt Lairds of Skelmurlie, Hector Bannatyne of Kames, the L. Kilchattane, Jo. Stewart of Ambrifinoir, Jo. Stewart of Ardinho, Ro. Bannatyne of Lawkas, Jo. Hammilton Bayhe of Arran, Alexander Campbell of Pennimor, Ro. Jameſon of Mekilekilmorie, Ja. Stewart of Kilquhinlick, Ro. Campell of Achinwilling, Neil Macneil of Kilmorie, Donald Campbell of Kirkmichell, Donald Mackneil younger of Kilmorie, Ninnian Stewart of Kergeizean, Ninnian Bannatyne of Kelielamount, Neil Macneil Bailey of Rothſay, Donald Macgilcreiſt Burgeſſe there, Ro. Stewart of Mecknok.

ITEM, For the Sheriffdom of Air, the Earl of Lowdoun Lord High Chancellor of Scotland, the Earl of Glencairn, the Earl of Eglintoun, the Earl of Caſſillis, the Earl of Dumfreis, the Lord Montgomerie, the Lo. Boid, the Lo. Cathcart, the Lo. Roſſe, the Lo. Bargany, the Lo. Cochran, the Lairds of Collein, Grimet, Macilven, Kirmichaell elder, younger, and youngeſt, Penkill elder and younger, Balloche, Kerres, Corſlayes, Kildonnan younger, Gilbert Kennedy of Dewchray, Adam Whitfuird, Fergus Maccubine, Mr. Hew Cathcart, Gaſtoun, Ceſnok, Bar, Gatgirth, Corsbie, David Kennedie of Bellymore, Gilmerſcroft younger, Kingincleuch, Watterheid, Park, Stair, Jo. Kennedy late Proveſt of Air, Lenſhaw younger, Faill, Mr. Robert Barkeley, Crawfordland, Corſhill, Blair, Kilbirnie, Rowallane elder and younger, Baidland, Dunlope, Ralſtoun, Kirkland, Auchnanies, Heiſlet, Adam Ritchie Baily of Air, Robert Brown, the three Lairds of Skelmurlie, Biſhoptoun, Preſtoun, Adamtoun younger, Huntarſtoun, Jo. Reed Proveſt of Irwing, Cunninghamheid, Jo. Oisburne, Enterkine, Alexander Crawfurd of Netherskeldoun, Adam Blair of Lochwood, Sir William Scot, Hew Kennedie, L. of Blair, Jo. Creichtoun of Caſtelmaynes, Hew Hammiltoun of Bordlume, Jo. Roſſe of Dreghorn, Mungo Boiſwall of Dunlair, Jo. Campbell, Major William Stewart, Jo. Cambell of Skeanſtoun, William Hammilton of Garriſe, Charles Boiſwall of Barlanothian, Boid of Trochrig, Fergus Maccunning in Balquhany, Barskiymming, Ja. Cambell of Newmylns and Dowcathal.

ITEM, For the Sheriffdome of Kincardine, the Earls Merſhell, Southesk, Panmure, Ethie, the Vicount of Arbuthnot, the Lo. Abercrombie and their ſons, the Lord Fraſer, Halgrine elder, Johnſtoun younger, Generall Major Middletoun, George Keith brother to the Earl Merſhel, the Lairds of Pittarro, Lowrenſtoun, Morphie elder & younger, Craige, Thornetoun, Balmayne, elder & younger, Col. Henry Mauld of Ropakellie, the Lairds of Leyis, Balbegno, Mr. David Falconer of Glenferqher, James Dowglas of Stanipeth, Patrick Falconer of Newtoun, John Barkclay of Johnſtoun, Robert Keith of Whytrigs, Halgreine younger, Glenbervie, Elfick, Arthur Stratoun of Sindone, the Tutor of Allardyce, Colonell Hary Barkcley, Tillequille, Brigfuird, Sir James Ramſay of Denholme, the L. of Fiddes, the L. of Portlethem, George Ogilvie of Lungare, Robert Arbuthnot of Keterlane, Alexander Keith of Kirklandhill, James Keith of Cauldham, Alexander Wood of Craigneſtoun, Jo. Strauchane, Andro Stratoun of Hill, James Thompſon of Cheyne, the L. of Pitfoddellis, Ja. Wiſhart of Arduthie, Sir Jo. Falconer of Bruntoun, and Mr. Alexander Wood of Netherbenholme.

ITEM, For the Sheriffdome of Roxburgh, the Earles of Caſſiles, Roxburgh, Louthian, Balcleuch, Haddingtoun, Traquair, the Lord Cranſtoun, Sir William Douglas of Cavers, Sir Andro Ker of Greinheid, Sir Thomas Ker of Cavers, Sir Walter Riddell of that ilk, Sir Wiliam Scot of Harden, Archbald Douglas fiar of Cavers, John Scot of Gottenberrie, William Ellot of Stobies elder and younger, Robert Langlands of that Ilk, Walter Scot of Gaudilands, Archbald Ellot of Falneſche, Robert Scot of Braidhauche, Gideon Scot of Harden, Mr. Gilbert Ellot of Craigend, William Ker of Newtoun, Andro Rutherford younger of Hunthill, John Rutherford of Bankend, Robert Rutherford Bailey of Jedburgh, Gawne Ellot of Grange, Robert Ker of Newhall, Andrew Douglas of Frierſhaw, Robert Ker of Fadounſide, Gideon Wauchope in Woodhead, David Scot brother german to the Earle of Balcleugh, Walter Scot of Whitſland, William Scot of Heidſhaw, William Scot of Sintoun, Walter Scot of Chappell, John Douglas of Garvart, Walter Gledſtanes of Coklaw, John Gledſtanes of Whitlaw, and Rob. Gledſtanes of Todſchawhauch, Jo. Halyburtoun of Murehouſlaw, Ja. Lithgow of Drygrange, George Rutherford of Fairningtoun, Andro Ker of Litledean, Andro Ker of Chatto, Andro Ker of Maſsindew, Ro. Pringle of Stitchel, Will. Scot of Mangertoun, Tho. Macdowgall of Stodrig, Ro. Ker of Midilmiſtwalls, John Ker in Halden, Andro Ker of Lyntoun, James Ker of Thornden, John Ker of Lochtour, John Ker of Gaitſchaw, Maſter William Moir of Otterburn, Andro Bell of Mow, Robert Pringle Portioner of Cliſtoun, Andro Ker in Quhitoun, John Rutherford of Kaiphope, Walter Riddell Portioner of Bewlie, Alexander Done Portioner of Littlenewtoun, John Scot of Breirgairds, William Ker in Swynſide, John Bierhope of that ilk, John Rutherford of Aggerſtoun, Robert Scot of Weſterhope, James Scot of Whythauch, Hary Cranſtoun, Sir Thomas Ker of Gaitſide, George Moſcrope, Ker of Corbat, Moir of Otterburn, of Hiltoun, James Haſwell of Ulſtoun.

ITEM, For the Sheriffdome of Perth, Sir George Preſtoun of Valeyfield, Sir John Erskene of Balgonie, Maſter James Merſer of Aldie, Sir John Halden of Glennegies, James Stirling of Auchyle younger, Archibald Stirling of Couldache, James Drummond of Milnabe, John Dow fiar of Arnehall, David Dog of Ballingrew, Henry Sinclair of Claſsingall, James Ure of Shurlington, Hary Home of Argatie, Maſter James Henderſon of the L. of Glenurquhie elder and younger, Meingeis of Weyms, Campbell of Laweris, Alex. Robertſon of Lude, John Blair of Pittindreich, William Lindſay of Kinloch, Robert Muſchet of Craighead, Thomas Bruce of Blairhall, Gilbert Gourlay of Weſtgrange, James Blair of Ardblair, Gilbert Ramſey of Bamff, John Ogilvie of Mourtoun, William Souttar of Mylnhauch, Alex. Ramſey of Jordieſtoun, David Ratray of Craighall, Patrick Butter of Gormok, William Fullartoune of that Ilk, James Campbell of Cribnane, Gilbert Campbell of Kethyke, Maſter James Grahame of Monorgund, James Gray of Belleggernay, Patrik Gray of Inchſture, or his two ſons, Sir Patrik Ogilvie of Inchmertene, Sir Peter Hay of Megginſche, Peter Hay of Leyis elder and younger, William Bruce of Fyngask, Sir Tho. Blair of Balthayok, Hew Mitchell of Kymaroquhy, William Butter of Argaithie, Tho. Stewart of Garntullie, Mr. Ro. Nairne of Strathuird younger, Sir William Stewart of Inuernytie, Patrik Murray of Mylnehill, Mr. Robert Meldrum of Gogor, Mr. Francis Hay of Balhouſhe, George Hay of Kirkland, Patrik Hay fier of Pitfour, ſir John Moncreiff of that ilk, ſir Tho. Ruthven of Frieland, ſir David Carmichaell of Balmedy, Mr. David Kynloche of Bandoche, Ja. Halyburtoune of Buttergask, Jo. Moncreiff of Eiſtermoncrieff, Alex. Mengies of Comrie, David Drumond of Inuermay, Ja. Drumond fiar of Machmay, Alex. Murray of Strivane, Sir James Rollok fiar of Duncrub, Mr. George Graham of Inchbrakie, Jo. Grahame of Balgowen, William Murray of Keillour, Jo. Oliphant of Bachiltoune, ſir William Ouchinleck of Balmanno, Harie Sterling fiar of Ardoch, Harie Drumond of Pitcarns, David Murray of Kinkell, Mr. Hew Moncreiff of Tybbermalloche, Mr. John Murray of Cowdoun, Mr. John Drumond of Lemach, David Drumond fiar of Coquellie, David Drumond of Drumonderynoch, Tho. Blair of Tarſappie, William Oliphant of Balgony, William Hutton of Ballolyſk, Mr William Blackburn, Factor to the Marquis of Argyle, Robert Arnote Proveſt of Perth, John Conquerour, Andrew Butter, Jo. Merſer and Archbald Lamb Baylies, Ja. Kennewie for Culros, Andro Pitcarne of Inuernytie younger, Leivtenant General David Leſley, Sir John Brown, Edward Bruce of Carnok, John Spence of Blair, Francis Hay of Strowie, Dundas of Manner, L. Craighall younger, the Tutor of Abercairne, Ja. Aikine for the Burgh of Culros, Sir John Dundas of Feinggeis, Jo. Stewart of Ainnat, Graham of Boquappill, Graham of Gallinegad, of Bowquhaſill, Murray of Lochland, Maxtoun of Cultoquhy, Ja. Monteith of Carſiebank, and Mr. Ja. Strauchand of Inchſtuthill, and for the Noblemen the Marquis of Argyle, the Earls of Arroll, Atholl, Murray, Perth, Tullibardine, Weymes, and their eldeſt ſons, the Lord Cardroſs, the Lo. Couper, the Mr. of Gray.

ITEM, The Stewartrie of Kirkcudbright, The Earls of Caſſillis and Nithiſdaill, the Vicount of Kenmure, the Lo. Garleis, the Lord Kirkcudbright, Lo. Lea, the Lairds of Lag, Orcheardtoune, Balmagie, Larg, Carſluth, Leivtennent Collonell

Gordoune of Ruſco, the Laird of Calye younger, the Laird of Cairletoune, Richart Moor of Caſſincarrie, the Lairds of Kirkconnell, Robertoune, Knokbrax, Mr. Will. Gordoune ſiar of Erleſtoune, William Gordoune of Shirmours, Lairds of Troquhane, Holyme, Barcaple, Collene, Barſcoib, Knokgray, Bargattoune, Shambellie, Grange, Gribdyk, Kirkhouſe, Barnbachlay, Gelſtoune, Menquhill, Fairgirth, Airdis, John Brown younger at the Brigend of Drumfries, John Carſane of Synnick, James Gordoune Proveſt of Newgallowey, William Maccaddam Bailie, John Ewart younger of Mullok, John Logane of Enrick, Andro Lindſay of Auchinskeoch, John Cutler of Oroland, the Lairds of Knokgray, Largmoir, Murdoche, Lochinkit, George Callender Bailie of Kirkcudbry', the Lairds of Crogo, Kirkdaill, Auchinguill, Gairlarge, Balmaine, Newlaw, Blakmad, and Maſter William Hay of Aberlady.

ITEM, For the Sheriffdom of Wigtoune, The Earle of Caſſillis, Lo. Airdes, Lo. Gairleis Shereff of Wigtoune elder and younger, Sir Robert Adair of Kinhilt, the Lairds of Logane elder and younger, Park, Freuche, Craigcaſſie, Balneill, Ardwell, Achrochar, Sinnoues, Gilleſpick, Knokglais, Killeſter, elder and younger, Andro Macdowell of Leſnall, Patrick Agnew of Schewchan, James Kenedy Factor to the Earle of Caſſillis, the Lairds of Dunraggat, Larg, Littledunragat, Gainoch, the Proveſt of Stranrawer, the Lairds of Barnbarrow, Craichlaw, Mertoune, Mochrume, Brochtoune, Kilcreuchie, Baledone, Grange, Gleſnok, Phintilloch, Wig, Darregill, Drumorell, Munraith, Drumaſtoune elder and younger, Houſtoune of Kintreoch, the Proveſt of Wigtoune, the Proveſt of Whithorn, Stewart of Condargie, Francis Hay of Terriallane, Dumbar younger of Mochrum, Gordoune of Balmeg, Hew Kennedy of Arehemane, Pa. Mackie of Kairne, Agnew of Galdnioche, William Gordoun of Pennyghame, the Lairds of Garthland, and Mr. James Blair.

ITEM, For the Sheriffdom of Ranfrew, the Earles of Glencairne, Eglingtoun, the Lord Roſſe, Lo. Montgomery, Lo. Sempill, Lord Cathcart, Cochrane, the Lord juſtice Clerk, the Laird Houſtoune and his ſon, the Lairds of Newark, Netherpollok, Craigance, Biſhoptoune elder and younger, Grenock, Duchald elder and younger, Barrachane, Blackhall younger, Ralſtoune, Glanderſtoune, Southbar, Weiklandis, Roiſeland, Caſtlehill. For the Toune of Ranfrew James Alexander Burges of Paiſley, John Spreull there, Cauldwell of that Ilk, Sir Houſtoune, Porterfield of that Ilk, Robert Hall of Fulbar, Andro Sempill, the Lairds of Jordanhill, Litlecaldwell, Mr. John Walkinſchaw, Simeon Birsbane of Selveyland, and the Laird of Blair.

ITEM, For the Sheriffdome of Forfar, the Marques of Argyle, the Earles of Buchane, Tullibardine, Southesk, Panmure, Ethie, the Vicount of Dudope, the Vicount of Arthbuthnot, the Lords Carnegie, Brechen, Loure, Spynie, Couper, Halkartoune, Maſter of Gray, Lord Inuerpeffer and his ſon, the Lairds of Edzell, Craige, Dun, Balnamoon, Balgordie, Fintrie, elder and younger, Ruthven, Balgillo, Newgrange, Maſter John Fothringhame Tutor of Pourie, the Lairds of Dunnoon, Claverhouſe, Monorgune, Gairden, Pitmowes, Melgum, Kilganie, Teilling, Strithmertene, Grange elder and younger, Findowrie, Carſs, Blakneſſe, Guthrie, Pitforthie, Dryburgh, Cragie, Balmadies, Gwynd, Peter Lyone ſiar of Coſſines, Duntrone, Brigtoun, Beinſtoun, Dronlaw, Balgay, Pitſcandly, Peter Young of Seytoun, David Carnegie of Banmathie, David Souttar of Wardintre, Alexander Carnegie of Cruikſtone, Patrick Anderſon of Barmouth, John Fullertoune of Kinnabir, Patrick Murray of Cardon, John Scrymegeor of Kirktoune, James Scot of Logy, Thomas Halyburntone for Dundie, Thomas Mudie, William Weymes, Alexander Bowar younger, Andro Gray for Montroſſe, James Mylne there, John Skynner and George Steill for Brechin, John Ochterlony and Alexander Futhie for Aberbrothock, Alexander Strang and John Mylne for Forfar, James Pedie for Montroſſe, George Campbell of Lundie, John Ochterlony of Weſterſeatoun, John Carnegie of Newgaite, William Ocherlony, Laird of Pittarro, Arbuthnot of Blaikſtoune, Affleck of that Ilk, The L. of Kynnadie, John Garne of Midletoun, James Durhame of Lardouny, Mr. John Gilmor, Andro Lyone of Delgetie, and the Laird of Beyſak.

ITEM, For the Sheriffdom of Selkirk, Earles Buclugh, Traquhair, Tweddell, Lords Lyntoun, Yeſter, Eliebank, Maſter of Eliebank, Lairds of Philophauch, Harden elder and younger, Stobbis, Quhitſlaid, Collonell Walter Scot of Hartwoodburn, Thirleſtane, Mangerſtoun, Gallowſcheiles, Torwodly, Hartwoodmyres, Todrig, Tuſhellaw, Bowhil, Braidmedowis, Midleſtead, Sutherlandhall, Phillone, Thomas Scot for the Town of Selkirk, William Scot of Sintoun, George Curror of Howdoun, John Scot of Gilmylnſcleugh, the L. of Stobis elder and younger, Sir James Murray of Deuchare and James Pringle of Whytbank.

ITEM, For the Sheriffdome of Bamff, the Marques of Argyle, Earles of Marſhell, Buchane, Findlater, Vicount of Frendraught, Lord Deskfurd, the Maſter of Bamff, Walter Ogilvie of Boyn, Sir Robert Innes of that Ilk, and in his abſence Peter Meldrum of Lichnet, Alexander Abercrombie elder of Birkingboig; Alexander Ogilvie elder of Kempkairn, James Sutherland of Balveine, John Grant of Ballendalloch, John Lyon of Troupe, Lairds of Kinnernoone, Baldavie, Tulliche, Ryland, Auchintoull,

Dunluguis, Skethe, Halzeardis, Patrick Gordoun of Badinſcoith, William Orde of Fineaughty, Robert Wilſone of Brakenhills, Mr. James Hay of Muldavit, the Lairds of Blackwater, Stainly, Ro. Makingies, William Lawtye in Mirehouſe, L. Auchmedden Proveſt for the Toun of Bamff, George Stewart Bailie thereof, William Leſly Bailie of Cullen, Patrick Stewart of Outlaw, Alexander Wincheſter Bailie of Bamff, Maſter Alexander Dowglas of Downeis, Brandoune Baird of Northfield, Alexander Ogilvie of Knok, Gordoun of Rothemay, Walter Ogilvie of Raggell, Walter Ogilvie of Reidhyve, Leute. Collonell Innes, Gordoun of Straloch, Berold Innes of Kinkorth, William Ogilvie of Boigheads, Laird of Kempkairne younger, Innes of Auchlonkart, and John Ogilvie Bailie of Culland.

ITEM, For the Sheriffdome of Aberdeen, The Marques of Argyle, the Earles of Arroll, Marchell, Buchane, Dumfermling, Callender, Vicount of Frendraught, Lord Pitſligo, Lord Forbes, the Lord Fraſer, the Lairds of Inuercauld, Beltie, Skene of that Ilk, Arthur Forbes of Eight, Corsindae, Leſlie, Tolquhoune, Watertoun, Knappernane, Auchreddie, Petnacaddell, William Seytoun of Maninie, William Seytoun of Minnes, Lairds of Auchincraw, Rainſtoune, Crimonmogat, Brunthill, Ardiffrie, Dunlugus, Ludquharne younger, Auchmedden, Eiſtertyrie, Techmuir, Clakriache, Phillorth, Udnie, Mr. James Baird of Litlefiddies, Pitcaple, Leſmoir younger, Craigievar, Auldmad, Ernehill, Pitfoure, Dyce, Culter, Bythe, William Dalgarno of Blakwater, Alex. Morieſon of Bignie, Patrick Leſlie Proveſt of Aberdeen, Mr. Robert Farquer of Muny, Thomas Mortumer late Bailie of Aberdeen, Rob. Irving of Feddrit, Jo. Irving in Brunklay, the Lairds of Birkingboig, Muresk, Memſie, Petfoddellis, Mauriefauld, Badinſhothe, Coclirachie, Tullos, Logie, George Buchane of Saphock, George Hay of Auchquhairne, Mr. Alex. Menzies of Kilmundi, Alex. Gordoun of Biſmoir, Mr. Thomas Sandilands of Crubſtoun, John Vdny of Newplace, Elphingſtoun of Glack, John Meldrum of Auchnevir, Walter Stewart of Blairtoun, the Tutor of Pitſligo, Robert Mertene of Clerkhill, Jo. Forbes of Largino, Alex. Jaffray, L. Glenkindie, the preſent Bailies of Aberdene, Ja. Ogilvie of Raghill, Kincragy, Leſly, Leſly Forbes elder and younger, Forbes of Aſloune, Johnſtoune of Cragy, Forbes of Inuernachty.

ITEM, For the Sheriffdome of Inuernes and Cromerties, the Marqueſſe of Argyle, the Earl of Murray, the Laird of Kilraick, Clava, Machintoſch, and his brother Lauchlane, John Forbes of Cullodin Proveſt of Inuernes, ſir Ja. Frafer of Bray, Hew Frafer of Kynnaries, Rorie Mackenzie of Ridcaſtell, Alex. Dunbar of Bennegfield, Roskene, Tarbet and his ſon, Cromartie, Dunskeath, Finraſsie, Obſtaill, Lemlair, Balkney, Inuerbraikie, Prieſthill, Sir Rob. Innes younger, the L. Balnagoun, David Roſs of Pitcamie, James Macculloche of Kindes, Andro Macculloch Proveſt of Tayne, the Lairds of Dunbeath, May, Grunzeard, Arkboll, Coynag, Will. Maccentoſch of Killathie, David Roſs of Holme, Dollas of Cantrey, Alex. Macpherſone of Eſigh, Will. Fraſer of Culboky, Duncan Forbes of Cullodin, Hew Fraſer of Belladrum, Hew Fraſer of Strwy, Hew Fraſer of Foyer, John Cuthbert of Caſtelhill, Angus Chiſholme of Comer, Will. Bailie of Dunnane, Rob. Innes of Calroſsie, Jo. Roſs of Aldie, Mr. Jo. Roſs of Pittindreich, Ja. Cuthbert of Drakyes, Alexander Forreſter of Colinald, Duncan Bayne of Kilmure, Jo. Maccleud of Dunvagane, Rorie Maccleaud of Tallasker, M. Ja. Macintoſche of Thorneagrein, Will. Robertſon of Inſhes, Ja. Roſs of Marknes, Jo. Polſtoun late Baillie of Inuernes, Jo. Corbet of Litlerani, Walter Roſs of Inuercharrane, Cap. Dougall Mackpherſane, Neill Monro of Findoun, & Hew Monro of Contuliche, Will. Macintoſche of Holme, Angus Macbane of Tordarrach, Jo. Macbane of Kinkel, Jo. Grant of Lurg, M. Jo. Grant of Gilliequhappill, Evan Camron of Locheil, Tho. Schives of Muretoun.

ITEM, for the Sheriffdom of Argyle, the L. Marq. of Argyle, the L. of Glenurquhy elder and yonger, L. Auchinbrek, Colein Campbel of Lochingel, col. Cambell of Straquhair, Arch. Cambell of Otter, Duncan Campbell of Elangrige, Lauchlane Maclauchlane of that ilk, Sir Arch. Johnſtoun of Wariestoun, Ja. Cambell of Ardkinglas, Duncan Campbell Capt. of Carrik, Dunc. Campbel Capt. of Dunoon, Neil Cambel of Duntrone, Dunc. Cambel of Inuerleive, Archibald Campbell Captain of Craigneis, Hector Macalaſter of Loup, Colein Macclauchlane Capt. of Inchoniel, Mr. Dowgall Campbell of Lag, Hew Macquorquodaill of Phantillanes, Archibald Campbell of Glencarradill, Alexander Macnauchtane of Dundarrow, Sir Donald Cambell of Ardnamurchan, Knight Baronet, Archibald Campbell Captain of Dunſtaffnage, Jo. Campbell of Ardchattane, Hector Maccleane of Terloisk, George Campbell Tutor of Calder, Dougall Campbell of Inneraw, Donald Campbell of Barbrek, Jo. Cambell of Druniſeyme, Donald Campbell of Drumaſſane, Colein Campbel of Ardintoun, Duncan Campbell Bailey Depute of Knapdail, and Geo. Campbell Sheriff Depute of Argyle.

ITEM, For the Sheriffdom of Caitnes, Francis Sinclair of Northfield, Sir Ja. Sinclair of Cannisbie, Sir John Sinclair of Dunbeth, Sir James Sinclair of Murkill, the L. of Dun, William Sinclair of Ratler, Ja. Sutherland of Forſs, Pa. Sinclair of Ulbſter, Jo. Sinclair of Tannache, John Sinclair of Aſſerie, James Sinclair of Bowar, William Innes of Borlum, Robert Innes of Thirſeter, Alexander Innes of Burrowſtoun, Ja. Innes of Sanſyde, Charles

Caddell of Lynager David Cougill of that ilk, John Murray of Pennieland, John Sinclair of Bryme, the Laird of Stanſtell, Walter Bruce of Ham, Alex. Mullikene, David Monro of Bukies, Robert Murray and George Abernethie. And for the better keeping of the dayes and diets reſpectivè after mentioned by the Committees of War of the ſeveral Shires abovewritten: The Eſtates of Parliament appoints the perſons afternamed to be Conveeners of the ſaids Committees for their firſt meetings, which is appointed to be at the ſeveral days underwritten, whoſe names are condiſcendit upon by the Commiſſioners for the Shires, viz. The Laird of Arneſtoun for the Committee of the Sheriffdom of Edinburgh: The Laird of Naughtoun for the Committee of Fyffe, Sir Ro. Drummond of Meidhope for the Committee of Lithgow, the L. of Raploche for the Committee of Lanerk, the Provoſt of Dumfreis for the Committee of Dumfries, the L. of Fulwood for the Committee of Dumbartoun, the L. of Weſtquarter for the Committee of Stirling, the L. of Waughtoun for the Committee of Hadingtoun, the L. of Langtoun for the Committee of Berwick, the L. of Skibo for the Committee of Sutherland, the L. of Sauchie for the Committee of Clakmannan, Sir Ro. Gordoun for the Committee of Elgine, John Grant of Moyns, for the Committee of Nairn, the L. of Blakbarronie, for the Committee of Peebles, the Sheriff of Bute for the Committee of Bute, the L. of Ceſnok for the Committee of Air, the L. of Johnſtoun Barkcley for the Committee of Kincairn, Sir Will. Dowglas of Cavers, or his ſon for the Committee of Roxburgh, the L. of Bachiltoun for the Committee of Perth, the L. of Cairltoun for the Committee of Kirkcudbright, the Lo. Gairleis for the Committee of Wigtoun, John Keith of Clackreach for the Committee of Aberdeen, the L. of Pollok Maxwell for the Committee of Renfrew, the Laird of Balnamonie, for the Committee of Forfar, the L. of Quitſlaid for the Committee of Selkirk, the Laird of Auchmedden for the Committee of Bamff, Tho. Scheives, Sheriff Depute of Inuernes for the Committee of Inuernes, George Campbell Sheriff Depute of Argyle for the Sheriffdom of Argyle, and Francis Sinclair of Northfield for the Committee of Cathnes. Which perſons above condeſcended upon, and appointed to be Conveeners of the committees of the ſeverall Shires, for the firſt meetings, The Eſtates ordains to advertiſe the foreſaids ſeverall committees to keep the dayes of meeting reſpectivè after ſpecified: And for this effect, ordains the Commiſſioners of the Shires to advertiſe thoſe who are appointed to be Conveeners of the ſaids committees in every Shire in due time to keep the dayes and times of meeting reſpectivè underwritten. And the Eſtates of Parliament declares, That none of the Perſons, either Colonells or upon the committees of Warre of the ſeveral Shires who are guilty of the crimes in the firſt and ſecond Claſs of the Act of Claſſis at St. Andrews, and falls under the ſame firſt or ſecond Claſs ſhall be either Colonels, or upon the committees of Warre reſpectivè foreſaid, notwithſtanding of the nomination and election above mentionat, with power to the foreſaids committees of War, or any nine of them as the quorum of every committee of each ſeveral Shire, except the Shire of Aberdeen, whereof the quorum of that Shire is to be fifteen of their own conſent, beſide the conveeners of the ſaids committee, whom they are hereby authoriſed to make choice of amongſt themſelves from time to time as they ſhall think fitting, after the firſt meeting to meet thoſe on this ſide of Tay upon the ninth day of May next: And theſe betwixt the waters of Tay and Spey the Twelfe day of the ſaid moneth of May next: and theſe by-north the water of Spey the fifteenth day of the ſame moneth of May next: And thereafter once of the week at the leaſt at the Head Burgh of the Shire or any other convenient place they pleaſe; and there to take ſpecial triall, and make preſent lifts of the hail fenſible perſons betwixt ſixty and ſixteen within their Shire, and to take ſpeciall care to ſee both the Foot and Horſemen ſufficiently provided with Armes, and that the Shires be continued in the ſame diviſions they were formerly, and a diſtinct part thereof appointed for every ane of the Colonells foreſaids within their bounds: and if any debate ariſe concerning theſe diviſions, which cannot be ſetled with conſent: That the ſame be repreſented to the Parliament or committee of Eſtates, and that they reduce the haile fenſible perſons in the Shire as well to Burgh as Land into regiments, foot-companies and horſe troups: which being done, that the committees by advice of the Colonels appoint all under Officers neceſſary for commanding all theſe under their charge: And that they be ſufficiently provided with all furniture neceſſary, and dreilled and exerciſed in managing their Arms, every Regiment once in the moneth, and every company and Troop once in the week, at ſuch places as the ſaids committees and colonels ſhall appoint; who are hereby required to ſee the Captains of each Company provided with Colours and drums, and the Rutmaſters with Cornets and Trumpets, and that they be in readineſſe as they ſhall receive order from the Parliament or Committee of Eſtates, to bring forth ſuch number and proportion of the Forces of their Shire with ſufficient furniture, Armes and Proviſion as they ſhall be required. And it is hereby provided that the Burroughs Royall within the Shires ſhall have the nomination of their Captains, and under Officers; and their men to be exerciſed within their own Town, and ſhall not be obliged to keep other places of muſtering within the Shire, till the Regiments of that Diviſion wherein the Burgh lies, be called to march or go upon ſervice: In which caſe each Burgh is to furniſh a proportionable number of

well armed men, conform to the number furniſhed by the Shire, and who are to go on in the ſervice under, and receive command from the Colonels and other Officers named as ſaid is. And for the good of the ſervice: It is Ordained, That the ſeverall Committees aforeſaid, appoint ſome ſure place for Magazines of Ammunition and Arms for the uſe of the Shire. And that the whole work may be the better furthered and advanced, the Committees and Colonels foreſaids, are hereby Ordained to labour ſo far as in them lies to entertain unity and love amongſt all his Majeſties good Subjects in theſe Bounds; and that all private quarrels, in caſe any ſhal happen to fal out among any wel affected perſons, be ſetled and removed amicably; otherwayes that the ſame be repreſented to the Committee of Eſtates: And if any Tumult or Inſurrection break forth in the Shire by Malignants or diſaffected perſons, or if any ſhall offer to oppoſe or obſtruct by violence the reſolutions of the Parliament or Committees thereof, With power to the ſaids Committees & Colonels to uſe all means to compeſt them; & if need be, to purſue the raiſers of the ſaid Tumults and publike oppoſers of the reſolutions of the Eſtates, in a hoſtile way by the ſtrength of the Shire: And if the Inſurrection or oppoſition come to that height that the Shire where it falls out is not able to ſuppreſſe the ſame, that the Colonels, Committees, & Commanders of the next adjacent Shires on all quarters (with whom the committees reſpectivè are to keep correſpondence) joyn for ſuppreſſing the ſame, as they ſhall receive advertiſement from the Committee of Eſtates, or Committee of the Shire where the Inſurrection is. And in caſe of any Foraign invaſions by Sea or Land, that the Colonels & Commanders riſe in Arms with the whole ſtrength of the Shire, horſe & foot for reſiſting the ſame; & by Beacons & otherwayes give timous advertiſement thereof to the Countrey and next adjacent Shires, who are hereby commanded to riſe and concur in the purſuit of the ſaids Invaders and raiſers of commotion or trouble: And if they or any others aſſiſting them in theſe unlawful deeds ſhal flie to ſtrengths & houſes, With power to the ſaids Colonels, Commanders & others that joyn with them, to raiſe, fire, aſſiege the ſaids Strengths and Houſes, and uſe all other kind of warlike engyne that can be had for recovery thereof, and apprehending the ſaids perſons and their aſſiſters: And if in execution hereof any ſlaughter, mutalatione, or other accident ſhall fall out upon the perſons ſo purſued, the Eſtates of Parliament declares the Colonels and others foreſaids aſsiſting them, free thereof, and of all pain or danger they may incurre there-through, for ever.

AND Ordains and Commands all his Majeſties good ſubjects to aſsiſt the ſaids Committees and Colonels in the proſecution of this Commiſsion, under the pain to be eſteemed and puniſhed as enemies to Religion, the Kings Majeſty, and their Native Countrey, and art and part of the ſaids Inſurrections and tumults: And to the end the ſaids Committees and Colonels may the better attend this charge, With power to them or Quorum thereof, to inflict and uplift penalties aff the abſents. And it is hereby declared, that the Colonels of the Shires, and wel-affected Noblemen within the ſame, have voice and place in their Committees reſpectivè, and are members thereof. And laſt theſe Committees are hereby ſtraitly injoyned and commanded, to obey, and put in execution all Orders and Inſtructions to be ſent to them by this Parliament or Committee of Eſtates; And give frequent advertiſement of their proceedings, and of the condition of the Shire, to the Committee of Eſtates, to whom they ſhall be anſwerable for the diſcharge of this truſt committed to them by this Commiſsion, which is to indure while the ſame be recalled by the Parliament, Convention, or the Committee of Eſtates, and all other former Commiſsions for this purpoſe, and nomination of Colonels and Committees in the Shires to be void and null in all time coming; and in the mean time the Eſtates of Parliament gives hereby power to the Committees of theſe Shires that are ſpatious and large, to ſubdivide the Committees thereof, and appoint the times and places of their meetings for the ſame, as the Committees of theſe Shires ſhall think fit, and as may conduce moſt for the furtherance of the Publick ſervice, and well of their ſaids Shires.

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XIX APRILIS.

A DECLARATION of the Parliament of Scotland, to all his Majeſties good Subjects of this Kingdom, concerning their Reſolutions for Religion, King, and Kingdoms, in purſuance of the Ends of the Covenant.

WE the Eſtates of Parliament now conveened, in the firſt Seſſion of this ſecond Triennial Parliament, finding the ſtrong endeavours and attempts of diſaffected perſons and Enemies of Truth, to blaſt and obſtruct our Labours in the performance of our Duties, in order to all our Relations, by traducing and calumniating our proceedings; Are therefore obliged to undeceive the abuſed People, to vindicate our ſelves from all unjuſt aſperſions, and to clear and evidence to this Kingdom our conſtancie and firmneſſe to the Cauſe of God, which we finde now in as great (if not greater) danger then it ever was in ſince the beginning of all thir late Troubles. 18

UPON the growing diviſions and debates betwixt his Majeſtie and his two Houſes of the Parliament of England, this Kingdom did for the ſpace of neer two yeers, by reiterated Petitions and Meſſages

offer their Services and endeavours, for compoſing and removing theſe diſcentions and differences. But their deſires therein, through the Councels and Practiſes of their common Enemies were ſtill made ineffectuall and diſappointed, untill at length many thouſands of either ſide were fallen by the fury and rage of a cruell and unnaturall Sword, and the flouriſhing Kingdom of England turned into a field of blood. And while they were thus with their own hands, tearing out their own Bowels, and maſſacring themſelves: The Houſes of Parliament then in a very low condition invited this Kingdom to their aſsiſtance, who finding their Petitions and addreſſes to his Majeſty, for a more naturall and amicable deciſion of differences, then by the Sword, rejected; and juſtly apprehending to have the dregs of that bitter cup, which overflowed in England poured out upon their own heads, if thoſe councels and advices, which gave firſt life and motion to theſe diſſentions, ſhould ſtill be prevalent; Did engage in a Solemn League and Covenant for Reformation and defence of Religion, the Honour and Happineſſe of the King, and peace and ſafety of the three Kingdoms; In purſuance thereof, this Kingdom joyned in Arms with their Brethren in England, and for divers years through many hazards and wants, did proſecute theſe ends, untill by the bleſſing of God upon their joynt endeavours, their common Enemies were ſubdued and moſt of them brought to ſuch condigne puniſhment as the reſpective Parliaments thought fit. Thereafter our Army returned home, upon aſſurance from the two Houſes, that the Treaties and Covenant ſhould be inviolably kept. But by the contrary, We find that there is not ane Article of the Solemn League and Covenant which has not been ſinfully and dangerouſly violated before God, Angels and Men, by the prevalent party of Sectaries and their adherents, nay the Covenant itſelf like to be deſtroyed, or at leaſt forgot and laid aſide. For where we expected, that according to the firſt Article of the Treaty betwixt the Kingdoms in Anno 1643. It ſhould have been tane by both Kingdoms, and that the not Takers thereof are by the joynt Declaration of both declared publike Enemies to Religion and Country, and are to be puniſhed as profeſſed Adverſaries and Malignants: We now find, by the prevalent party of Sectaries and their adherents, it is not only laid aſide in the new Propoſitions lately ſent to His Majeſty to the Ile of Wight, and no execution of publike Orders for taking it through the country, but alſo many perſons of eminent and publike Truſts in the Army and elſewhere, have never taken it, neither are urged thereunto. In ſtead of Reformation and defence of Religion, That Reformation which by the Covenant ought to be endeavoured, is reſiſted and hindered, Hereſie & Schiſm tolerated, under which moſt horrid Blaſphemies are ſheltred & protected, if not openly profeſſed & allowed. In ſtead of maintaining the rights and priviledges of Parliament, the Houſes have been highly diſobeyed and threatned; Thoſe who by the Covenant ought to be brought to condign tryal & puniſhment for hindering the Reformation of Religion, dividing the King from his People, or any of the Kingdoms from another, or making any Faction or Party amongſt the people, contrary to the League & Covenant, have been protected and aſſiſted, and thoſe perſecuted who by the Covenant ought to be defended. In ſtead of a firm union and peace betwixt the Kingdoms, a breach hath been endeavoured. And whereas both Kingdoms by the Solemn League and Covenant are obliged to preſerve his Majeſties perſon and authority, in the preſervation and defence of the true Religion and Liberties of the Kingdoms, that the world may bear witneſſe with our conſciences of our Loyalty, and that we have no thoughts nor intentions to diminiſh his Majeſties juſt power and greatnes. And the Kingdom of Scotland having alſo upon his Majeſties going from Newcaſtle declared againſt all injury, harm, prejudice or violence to be done to his Royall perſon: Yet by a ſudden ſurprizall his Majeſty was violently ſeized on, and carried from his houſe at Holdenby againſt his own will, and the declared reſolution of both Kingdoms, by a party of the Army under the command of Sir Thomas Fairfax, and by that Army thereafter carried about from place to place at their pleaſure, kept and invironed with ſtrong guards within their Quarters untill he was forced for ſafety of his life to flie from Hampton Court, as he himſelf declared in his Meſſage from thence: And by the power and prevalency of that Army and their adherents he is kept a cloſe Priſoner in the Ile of Wight, and Votes paſt, declaring it High Treaſon to make any further applications to him, or to receive any Meſſages or Letters from him; yea, even to that extremity are they already gone againſt him, that it is declared they will repoſe no further truſt in him. Likeas not only ſuch as had Warrants for acceſſe to him, from the Parliament of this Kingdom are debarred thereof, notwithſtanding of the ingagement of the Houſes 27. January, 1647. to the contrary; but the Earl of Lauderdale a publick Miniſter of this Kingdom, contrary to the Law of Nations, was violently removed from Woburn, where his Majeſtie then was, and not ſuffered to have acceſſe to him; and though reparation therein was deſired by the Committee of Eſtates, yet none was given: And when the ſaids Commiſsioners deſired to know whether the Votes againſt all Applications to the King did extend to his Majeſties Subjects of Scotland, to debar ſuch as are Warranted by the Parliament of this Kingdom, or their Committees from free acceſſe to, or intercourſe with his Majeſty; or that he ſhould be hindred from, and ſo made uncapable of any Act of Government in relation to the affairs of Scotland, no

Anſwer at all was returned thereto, untill the Commiſsioners from both Houſes now reſiding here, did in March laſt give to us a large Declaration from them, acclaiming the ſole power of the diſpoſing of the Perſon of the King in England. We do not conceive it fit at this time to inſiſt upon any violation made of the large Treaty concerning the remainder of the money due upon the brotherly aſſiſtance, nor of the Treaty for the Army in Ireland, for whoſe ſervice their was due in Anno 1643. by a ſubſcrivit Accompt 312000l. ſterling (though we can never part from the intereſt of that Army till they be juſtly ſatisfied for their long and faithfull ſervices) For as money neither was the cauſe nor motive to any of our undertakings nor reſolutions, whatever hath been falſly ſuggeſted by our Enemies, ſo we ſhall not value it ſo much as now to mention it amongſt the cauſes and grounds of our proceedings at this time.

BY the large Treaty betwixt the Kingdoms of Scotland and England, it is provided, That if any Armies be leavied in any of the Kingdoms, and the neighbour Kingdom thereby harmed or wronged, that then the Eſtates of the Country by which it is done ſhall be obliged to purſue, take, and puniſh the offenders with all rigour. The Kingdom of Scotland hath divers times deſired the performance of this Article, and in particular the Parliament of Scotland upon the 16. of January, 1647. To which the Houſes in their Letter of the 27. of January ingaged themſelves to the Parliament of Scotland; That the Engliſh Garriſons being delivered up, and the Scottiſh Army marched out of England, they ſhould take that deſire into ſpeedy conſideration. Vpon the 16. of July, 1647. the Scottiſh Commiſsioners deſired performance hereof. But through the prevalency and power of the Sectaries, no reparation, ſatisfaction nor anſwer was given.

AND although by the eighth Article of the Treatie, 1643. It is agreed that no Ceſſations, Pacifications, nor agreement for peace whatſoever ſhall be made by either Kingdom, or the Armies of either Kingdom without mutual advice and conſent of both Kingdoms, which ingagement the Houſes of Parliament alſo repeated in their Letter of the 17. of January 1647. to obſerve that Article after the removall of our Army out of England; yet contrary thereunto the Army of Sectaries and their adherents framed Propoſals deſtructive to the ends of the Covenant, which were preſented to his Majeſty without the adviſe or conſent of the Kingdom of Scotland: And thereafter, by their power and prevalency, the Houſes of Parliament have laid aſide the Propoſitions agreed on by both Kingdoms, and have contrary to the Treaty, preſented Propoſitions and Bills to his Majeſty; againſt which the Commiſſioners of this Kingdom by order, and according to their inſtructions, did proteſt, as being deſtructive to Religion, the Crown and union of the Kingdoms.

THESE dangers ſo eminently threatening Religion, and Government call upon us, as Chriſtians, as Subjects, as Scotchmen, to a duty to God, our King and Countrey, and to our oppreſſed and heavily afflicted Brethren in England who are faithfull and conſtant to the cauſe of God. We have therefore reſolved in the firſt place to endeavour and aſſay all brotherly and amicable means of repairing and making up ſuch differences or breaches, as may otherwiſe neceſsitat this Kingdom to ingage in a War: And therefore, we do intend to ſend to the Honourable Houſes of the Parliament of England, theſe following neceſſary, and juſt deſires for Religion, his Majeſty, and good and peace of theſe Kingdoms.

1. THAT an effectual courſe be tane by the Houſes for enjoyning the Covenant to be taken by all the Subjects of the Crown of England conform to the firſt Article of the Treaty, and conform to the Declaration of both Kingdoms in Anno 1643. By which all who would not take the Covenant were declared to be publike enemies to Religion and the Countrey, and that they are to be cenſured and puniſhed as profeſſed adverſaries and Malignants: And that Reformation of, and Uniformity in Religion be ſetled according to the Covenant. That as the Houſes of Parliament have agreed to the Directory of Worſhip, ſo they would take a reall courſe for the practiſing thereof by all the ſubjects in England and Ireland, that the Confeſsion of Faith tranſmitted from the Aſſembly of Divines at Weſtminſter to the Houſes be approvin; and that Presbyteriall Government with the ſubordination of the lower Aſſemblies to the higher be ſetled and fully eſtabliſhed in England and Ireland; And that ane effectual courſe be taken for ſuppreſsing and extirpating all Hereſies and Schiſmes, particularly Socinianiſm, Arminianiſm, Arianiſm, Anabaptiſm, Antinomianiſm, Eraſtianiſm, Familiſm, Browniſm and Independencie; & for perfecting what is yet further to be done for extirpating Popery and Prelacy, and ſuppreſsing the practiſe of the Service Book, commonly called, The Book of Engliſh Common Prayer.

2. THAT conform to the former deſires of this Kingdom, the Kings Majeſty may come with honour, freedom and ſafety to ſome of His houſes in, or near London, that the Parliaments of both Kingdoms may make their applications to Him for obtaining His Royall aſſent to ſuch deſires as ſhall be by them preſented to Him, for eſtabliſhing Religion, as is above expreſt, and ſetling a well grounded peace.

3. AND to the end, that all Members of both Houſes who have been faithfull to this Cauſe, may freely and ſafely return and attend their charges, the City of London may enjoy its liberty and priviledges which it had before the late encroachment of the Army, the Parliament may ſit and voice with freedom and ſafety, both Kingdoms without interruption or diſturbance may make their applications to his Majeſty, and the ſetling of Religion and Peace may be no longer hindred and obſtructed, that the preſent Army of Sectaries under the Command of Thomas Lord Fairfax of Cameron, be disbanded, and none imployed but ſuch as have or ſhall take the Covenant, and are wel-affected to Religion and Government, excepting from the ſaid disbanding the Garriſons neceſſary to be kept up by the Parliament of England, for the ſafety of that Kingdom, which are deſired to be commanded by ſuch as have or ſhall take the Covenant, and are well affected to Religion and Government as aforeſaid.

WE will not doubt, but the Honourable Houſes will ſeriouſly weigh and conſider how neceſſary and juſt theſe our demands are, to which we will expect ane ſatisfactory anſwer: But if through the influence and power of the Army of Sectaries that now invirons them, theſe our deſires be ſlighted and rejected; yet we reſolve by Gods aſsiſtance in all our proceedings never to break on our part the union betwixt the Kingdoms, nor to encroach upon the Nationall Rights of the Subjects of England, or intrench upon their juſt liberties, much leſſe is it our intention at all to make an Nationall ingagement againſt the Parliament and Kingdom of England; But for them whoſe Freedom, Priviledges and Happineſſe ſhall be ever as dear to us as our own. And if we ſhall be neceſsitat to any undertakings in a War, We do reſolve that as the ingagements of this Kingdom have been conſtantly hitherto for ſetling Truth and Peace under his Majeſties Government, ſo they ſhall ſtill be for the obtaining the ſame ends. And we will be carefull that in the managing and carrying on of ſo pious and dutifull a work, that we ſhall not enter into Aſſociation and conjunction of Forces with thoſe, who ſhall refuſe to ſwear and ſubſcribe the Solemn League and Covenant, nor uſe ſuch means or inſtruments as may diſcourage or diſoblige the Presbyterians in England, who continue firm to the Solemn League and Covenant: And that we will be ſo far from joyning or aſſociating ourſelves with the Popiſh, Prelaticall or Malignant party, if they ſhall again riſe in Arms, either to oppoſe or obſtruct all or any ane of the ends of the Covenant; that on the contrary we will oppoſe and endeavour to ſuppreſs them, as enemies to the Cauſe and Covenant on the one hand, as well as Sectaries on the other. And we further declare, That we will give truſt in our Armies, & Committees to none but ſuch as are of known integrity, abilities and faithfulneſſe to this Cauſe and Covenant, and againſt whom there is no juſt cauſe of exception. And as we ſhall endeavour the reſcuing of his Majeſty from thoſe who violently carried him away from Holdenby, and by whoſe power he is ſtill detained cloſe priſoner; That he may come with Honour, Freedom and Safety to ſome of his Houſes, in or neer to London, where both Kingdoms may make their Applications to Him, for ſetling Religion and a well grounded Peace: So we reſolve not to put in his Majeſties hands or any others whatſoever, any ſuch Power, whereby the foreſaids ends of the Covenant, or any ane of them may be obſtructed or oppoſed, Religion or Presbyterian Government indangered. But on the contrary, before any agreement or condition to be made with his Majeſty, having found his late Conceſsions and Offers concerning Religion not ſatisfactory, That he give aſſurance by his ſolemn Oath under his hand and Seal, That he ſhall for himſelf, and his Succeſſors give his Royall aſſent, and agree to ſuch Act or Acts of Parliament, and Bills as ſhall be preſented to him by his Parliaments of both or either Kingdoms reſpectivè, for enjoyning the League and Covenant, and fully eſtabliſhing Presbyteriall Government, Directory of Worſhip, and Confeſſion of Faith in all his Majeſties Dominions. And that his Majeſtie ſhall never make any oppoſition to any of thoſe, nor endeavour any change thereof. And further to ſhew and evidence the candor and reality of our intentions, we are willing to ſubjoyn to the grounds of our undertakings ane Oath, wherein both in the framing thereof, and otherwayes we are willing the Church ſhall have their due intereſt as formerly in the like caſes.

AND albeit we are reſolved not to engage in any War before the neceſsity and lawfulneſſe thereof be cleared, So as all who are wel-affected may be ſatisfied therewith; And that reparation to ſuch breaches and injuries as are or ſhall be condiſcendit on, ſhall be demanded in ſuch a juſt and fit way as ſhall be found moſt lawfull and expedient. Yet we cannot be anſwerable to the great truſt laid upon us, if ſeeing ſo imminent and great Dangers to all that is deareſt to us; We did not make uſe of our Authority and Power for the common ſafety of this Kingdom; And therefore we have reſolved to put this Kingdom preſently in a poſture of defence, as it was in Anno 1643.

AND now as many of the dangers, with the grounds and Reſolutions in purſuance of our duties, are hereby made known to this Kingdom; ſo we are aſſured, that all, and every one, who have any zeal to Religion, love to Monarchial Government, ſenſe of the ſufferings and impriſonment of their King, affection to their oppreſſed Brethren in England, or deſire to preſerve the Priviledges of Parlia-

ment, and liberty of the ſubject will chearfully in ſuch an exigent (while the eyes of all Chriſtendom are on us) rouze up themſelves, and contribute their beſt endeavours, as they ſhall be required by us, in purſuance of all the ends of the Covenant, as well for Religion as for his Majeſties Perſon, and Government, and Priviledges of Parliament; in doing whereof we ſhall witneſſe to the world, that we have not ſwerved from theſe our firſt principles contained in our Nationall Covenant, and in our ſolemn League and Covenant, whereby we did ſolemnly ſwear and promiſe before God and his Angels, To endeavour in our ſeverall places and callings, the Reformation of, and Uniformity in Religion and Church-Government in all his Majeſties Dominions, according to the Word of God, and example of the beſt Reformed Churches; and not only to the utmoſt of our Power, with our means and lives to ſtand to the defence of our dread Soveraign, his Perſon and Authority, in the preſervation of the true Religion, and liberties of the Kingdoms; But alſo in every cauſe which may concern his Majeſties honour to concur according to the Laws of this Kingdom, and duty of good Subjects: And alſo hereby give a ſingular proof of the good intentions of all that maintain Presbyteriall Government, that they are not enemies to Monarchie, as they are falſely by their enemies branded. And in particular this Kingdom of Scotland will now make it evident as they often declared, That their quietneſſe, ſtability, and happineſs doth depend upon the ſafety of the Kings Majeſties perſon, and maintenance of his greatneſſe and Royall Authority, who is Gods Vice-gerent ſet over us for maintenance of Religion, and Miniſtration of Juſtice: Having ſo many bands and ties of Duty and ſubjection to his Majeſty, and his Government, who is our Native King from a longer Series and diſcent of his Royall Progenitors then can be paralleld in Europe. That we reſolve, cloſely, and conſtantly to adhere thereunto, as alſo to all the ends of the Covenant.

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XXI APRILIS.

19 ACT in favours of the umquhile Laird of Haddo his Tennents.

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XXVI APRILIS.

[A LETTER from the Parliament of Scotland to the Parliament of England.

Right Honourable,

THE Parliament of Scotland now aſſembled, being reſolved by all fair and juſt means to endeavor the preſerving and entertaining the Brotherly Union and good correſpondency betwixt the kingdoms; to which by ſo many bonds and tyes they are mutually obliged: Yet being very ſenſible that the many juſt and neceſſary Deſires given in by their Commiſſioners by order from this kingdom, for the good of Religion, of His Majeſty, and for the Intereſts of Scotland, have not received a ſatisfactory Anſwer; and conſidering the many great and imminent dangers threatning Religion, His Majeſties Perſon and Authority, yea, Monarchical Government it ſelf, and the Peace and Union of theſe two kingdoms of Scotland and England, by the power and prevalency of Sectaries and their Adherents; Have thought fit to make theſe juſt and neceſſary Demands to the Honorable Houſes of the Parliament of England, to which the Parliament deſires a clear and ſatisfactory Anſwer, not having the leaſt thought or intention to encroach upon the National Rights of the kingdom of England, nor to intrench upon the Priviledges of Parliament; But their Zeal to the Glory of God, their Loyalty to their King, and their deſire of Unity betwixt the Kingdoms, hath moved them to make theſe incloſed Demands, whereby Religion may be ſetled according to the Covenant, His Majeſty may enjoy His freedom and Juſt Rights; And ſo by ſetling a Religious and ſafe Peace, the preſent Confuſions and Diſtempers may be removed, and all occaſions of Miſtakes and Differences betwixt the two kingdoms prevented. This is all I have in command from the Parliament; In whoſe Name this is ſubſcribed by

Edenburgh 26 April 1648 — Your Lordſhips affectionate Friend and humble Servant,

Loudoun Canc' Preſident of the Parliament.]

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XXVII APRILIS.

DESIRES of the Parliament of Scotland to the Honourable Houſes of the Parliament of England.

I. THAT an effectual courſe be tane by the Houſes 20
for enjoyning the Covenant to be taken by all the Subjects of the Crown of England, conform to the firſt Article of the Treaty, and conform to the Declaration of both Kingdoms, in Anno 1643. By which all who would not take the Covenant were declared to be publick enemies to Religion and the Countrey, and that they are to be cenſured and puniſhed as profeſſed Adverſaries and Malignants: And that Reformation of, and uniformity in Religion be ſetled according to the Covenant: That as the Houſes of Parliament have agreed to the Directory of Worſhip, ſo they would take a reall courſe for practiſing thereof by all the Subjects of England and Ireland; That the confeſſion of Faith tranſmitted from the Aſſemblie of Divines at Weſtminſter to the Houſes be approven; And that Presbyterian

Government with a ſubordination of the lower Aſſemblies to the higher be ſetled, and fully eſtabliſhed in England & Ireland: And that effectual courſe be tane for ſuppreſsing & extirpating all Hereſies & Schiſmes, particularly, Socinianiſm, Arminianiſm, [Arrianiſm,] Anabaptiſm, Antinomianiſm, Eraſtianiſm, Familiſm, Browniſm and Independency, and for perfecting of what is yet further to be done for extirpating of Popery and Prelacy, and ſuppreſsing the practiſe of the Service Book, commonly called, The Book of the Engliſh Common Prayer.

II. THAT conform to the former deſires of this Kingdom, The Kings Majeſty may come with Honour, Freedom and ſafety to ſome of his Houſes in or near London, that the Parliaments of both Kingdoms may make applications to him for obtaining his Royall aſſent to ſuch deſires as ſhall be by them preſented to him for eſtabliſhing Religion, as is above expreſt and ſetling a well grounded peace.

III. AND to the end that all the Members of both Houſes who have been faithfull in this cauſe, may freely and ſafely return and attend their charges, the City of London may enjoy its Libertie and priviledges whilk it had before the laite incroachment of the Armie, the Parliament may ſit and voice with freedome and ſafety, both Kingdoms without interruption or diſturbance may make their applications to his Majeſtie and the ſetling of Religion and Peace may not longer be hindered and obſtructed: It is deſired that the preſent Armie of Sectaries under the command of Thomas Lord Fairfax of Camerone be disbanded, and none imployed but ſuch as have or ſall take the Covenant, and are well affected to Religion and Government, excepting [from] the ſaid disbanding the Garriſons neceſſarie to be kept up be the Parliament of England for ſecuritie of that Kingdom, which are deſired to be commanded by ſuch as have or ſall take the Covenant, and are well affected to Religion and Government [as] aforeſaid.

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21 ACT in favours of George Logane.

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XXIX APRILIS.

22 ACT Maſter James Urquhart contra the Laird of Gallowſheills.

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23 ACT anent Ships to guard the coaſt.

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II MAII.

[ANSWER of the Parliament of Scotland to the Commiſsioners Papers of the 19 and 29 of April, 1648. concerning the perſons demanded by the Commiſsioners.

THE Eſtates of Parliament have conſidered the two Papers bearing date the 19. and 29. of April, preſented to them from the Commiſsioners of both Houſes of the Parliament of England, to which they return this Anſwer, that the perſons remanded, not being as they are informed in this Kingdom, they think it not neceſſary to inſiſt upon giving the Reaſons of their former Anſwer; but if the Commiſsioners of both Houſes ſhall think it fitting, they will appoint a Committee to confer with them anent thoſe Articles of the Large Treaty mentioned in your papers, and how far either kingdom ſtands ingaged thereby, wherein they are confident to give all juſt ſatisfaction.]

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DECREIT Town of Perth contra Andro Reid. 24

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ACT in favours of the Officers of the L. of Lawers Regiment. 25

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IV MAII.

ACT anent the Leavies of Horſe and Foot to be put out by the Shires and Burghs, and the liſt of the Colonells, with their numbers.

FORSAMIKEL as the Eſtates of Parliament conſidering the great and imminent danger to Religion, the Covenant, His Majeſties Perſon and authority and peace of thir Kingdoms, have thought fit, and accordingly given order, That this Kingdom be put into a poſture of warre, and that the Colonels and Committees of warre in the ſeverall ſhires be carefull in lifting and exerciſing the hail fencible perſons within their bounds, and providing them with Armes, that they may be in readineſs to ſend forth ſuch number of horſe and foot as the Parliament or their Committees ſhall call for. And now finding that the Town of Berwick is ſeaſed on, and that the dangers are nearer to us than formerly, whether from Sectaries or Malignants, and that it is our duty to make uſe of the power and ſtrength of the Kingdom for its preſervation and ſafety, 26

And for preventing thoſe evils wherewith we are threatned, have thought it therefore fitting to require the ſeverall Colonels and Committees of warre of the Shires on this ſide Tay, to meet upon the ninth of this inſtant, and theſe on this ſide of Spey upon the twelfe, and thoſe on the North ſide thereof upon the ſixteenth day of the ſame moneth, to take preſent courſe for lifting and inrolling the particular numbers of men, horſe and foot, according to the liſt hereunto ſubjoyned. And that they appoint and nominate under officers to the foot, viz. Lieutenant-Colonel, Major, and Captain: and that they cauſe the heritors, proper wodſetters, liferenters, and others ſubject in outputting of horſe and foot conform to the Acts of Parliament, put out their proportion of horſe and foot well armed, the foot, two part with muſquets, and third part pikes, and all with ſwords, with two Dollors of Levie-money, and twenty days proviſion to each ſouldier, and to all officers under a Captain conform to the Scotts eſtabliſhment, at two part pay horſe and foot: And that for carrying of the neceſſary proviſion of thir forces, They provide a ſufficient baggage horſe for every Twelve men: And that ane ſtrong and able man with ſword and half pike be appointed to attend each two baggage horſe, who is to have a ſouldiers pay: And that the heretors, liferenters, and others aforeſaid of the ſeverall Shires who are lyable to the putting out of men, be Ordained to bring their ſeverall proportions of horſe and foot Armed and provided as aforeſaid, to the place of Randezvouz in each Shire, under the pains following, viz. Under the paine of 400. marks for each deficient horſeman, And under the paine of 100 l. for each deficient footman not brought to the foreſaid Randevouz, which are hereby Ordained to be keeped at the dyets following, viz. All the Shires on this ſide Tay upon the 24. of this moneth, and theſe upon the Southſide of Spey upon the 27. and thoſe upon the Northſide of Spey upon the laſt of this moneth, and Ordains the ſaids Colonels and Committees in the ſeverall Shires to have their proportions of Horſe and Foot Armed and provided as aforeſaid, in readineſs at the place of Rendezvous, and at the dyets reſpectivè before mentionate, to march according to ſuch orders as ſhall then be ſent to them, under the penalties aforeſaid: And for the more ſpeedie and effectuall raiſing of the ſaid Foot and Horſe, the Eſtates of Parliament gives power and command to the Colonels, with aſſiſtance of ſuch of the Committee of the Shire as will joyn with them; and are hereby commanded to be aſſiſting to them, to poynd and diſtrenzie the goods of any Heretors and others aforeſaid, who are deficient in outputting either of the Horſe or Foot, viz. For every horſman wanting at the day of Rendezvous the ſum of 400. Marks from every Heretor and others aforeſaid, who are liable to put him out. And for every Footman wanting, the ſum of 100 l. And further the ſaids Eſtates declares, that the Heretors and others aforeſaid failing in putting out of their proportions ſhall be eſteemed as enemies to, and hinderers of the publick ſervice of the Kingdom, in perſuance of the ends of the Covenant, and notwithſtanding ſome perſons may be hereby overburdened in reſpect of the means of their Rents, and multitude of Tennants, living upon their lands: Yet the Eſtates Ordains the foreſaid Number of men providit as aforeſaid to be put out by them, and in caſe any of them find themſelves thereby prejudged, and make their complaint known to the Committee of the Shire, in that caſe the ſaids Eſtates Ordains the Committee of the Shire to caſt up the accompt, what the price of the aforeſaid Armes, Levi-mony and the price of Baggage-horſe will amount to, and ſo to provide for their relief, that the burthen may be equally upon the whole Heretors and others aforeſaid according to their Rent, as in the maintenance. And becauſe the ſaids Eſtates having after calculation, found that the number of horſe, according to the proportion of the Levie in Anno 1644. are to be raiſed, will not exceed 2700; And ſeeing the preſent ſervice will neceſſarily require a greater number; and that the Shires of this Kingdom will hardly be able to outreik the ſame: Therefore the ſaids Eſtates have ordained that each Regiment of horſe ſhall conſiſt of 160. Troopers, to be framed in three Troops, and commanded by a Colonel, Major, and Rutemaſter, and the Colonel to have the nomination of all his under Officers; Providing, the Lieutenant or Cornet be appointed with adviſe of the Committee of the Shire, out of the which the Troop is to be levied: And Ordains the Regiments to be made up in manner following, viz. The preſent Rutemaſter to have aſſigned to them locallie out of ſome Shire or Shires, the number of 80. Troopers, according as is ſet down in the liſt hereunto ſubjoyned, which Troopers the ſaids Rutemaſters are to receive at the day and place of Randezvous of the foreſaid Shire or Shires before written; and ſhall give ſufficient ſecurity to leavy upon their own charges as many Troopers well mounted, and Armed, as with the Troops they preſently have, ſhall make 160. in the whole; and that they ſhall have the ſaids Troopers ſo to be lifted upon their own charges at the foreſaid day and place of Randezvous, under the pain of 400. markes for each deficient Trooper: And for ſuch Noblemen and Gentlemen deſigned Colonels, who have no Troops preſently, the Eſtates Ordains them to receive the number of 80. Troopers from the Shire aſſigned to them for that purpoſe, as is contained in the foreſaid ſubjoyned Liſt; and to find ſufficient ſurety for leavying the number of 100. Troopers upon their own charges, and to bring them to a Randezvous at upon the 10. day of June next, under the pain of foure hundred Marks for each deficient well mounted and well armed Trooper: And in caſe any Colonel ſhall

upon his own charges raiſe 60. horſe more to make up the fourth Troop, the Eſtates of Parliament allows him to have a Lieutenant Colonel; and what farder Troopers the Colonel and his Officers ſhall leavy upon their own charges, they ſhall have entertainment therefore as the reſt of the Army: And the Eſtates of Parliament ordains the foreſaid Committees to uſe all diligence for performing the foreſaids duties intruſted to them, as they will teſtifie their affection to Religion, and the peace of the Kingdom; and that they fail not to make report to the Parliament or the Committee of Eſtates of this Kingdom, within ſix days after the day of Rendezvous reſpectivè above written, aſſigned by the Parliament to the Shires reſpectivè, as is foreſaid: And if the Committees of Shires be remiſſe in their meetings, or in putting thir Orders to execution, that the Colonels with ſuch of the Committee as are willing to joyn with them, conveen upon all occaſion for putting thir orders to execution, and for doing every thing that may further the Leavies, being always comptable for their proceedings to the Parliament, or Committee of Eſtates: And if any perſon or perſons of what degree, quality or condition ſoever ſhall offer to oppoſe or obſtruct by violence, the reſolutions of the Parliament, or Committees thereof, With power to the ſaids Committees and Colonels to uſe all means to compeſs them, and if need be, to purſue the raiſers of the tumults, and publick oppoſers of the Reſolutions of the Eſtates in a hoſtile way by the ſtrength of the Shire: And if the Inſurrection or oppoſition come to that hight, that the Shire where it falls out is not able to ſuppreſſe the ſame, that the Colonels, Committees and Commanders of the next adjacent Shires, on all Quarters, joyn for ſuppreſſing thereof, as they ſhall receive advertiſement. And farther, the ſaids Eſtates upon conſideration of the great abuſes in former Leavies, committed by Officers: in taking of money from the Heritors, and others aforeſaid, who are liable in putting out of Horſe men, or Foot in place of their ſaid men; Declares, that whatſoever Officer ſhall be found to have done ſo, ſhall not only be caſhiered from his charge, but alſo branded with ane mark of infamy and diſgrace: And that the ſaids whole forces may be kept in the better order and diſcipline, the ſaids Eſtates Ordains all Officers conſtantly to attend their ſaids charges, and that none of them upon any pretext whatſoever be abſent the ſpace of ane moneth, With certification to the contraveeners hereof, that their places ſhall be declared vacant, and ane other eſtabliſhed in their charge. And the Eſtates of Parliament declares, that whatſoever Officer or Souldier ſhall be found guilty of taking at their own hand of horſe, or any other guids from the Subjects of this Kingdom, they ſhall die for it without mercy. And for the better regulating of the putting forth Horſe and Foot of ſuch as will not fall to put forth ane whole Horſe or Footman: It is declared, that the greateſt rent of theſe to be joyned for making up ane horſe, ſhall provide the horſe, and the reſt that joyneth to contribute, according to 160. l. for ilk Horſeman; and who have the manyeſt men to provide the Footman, and the remnant that joyneth, to contribute with him according to 40. l. for ilk Footman for their outreik of Arms, and whole furniture belonging to them with their twenty dayes proviſion: And where the rent, or number of men are equall, to caſt lots.

FOLLOWS the Liſt of the Horſe and Foot, to be put out by the ſeverall Shires and Burghs of the Kingdom, with the names of the Colonels of the Foot.

OUT of the Sheriffdoms of Roxburgh and Selkirk 2000. Foot, and 200. Horſe: Colonels for the Foot, the Earl of Roxburgh, the Earl of Bucleuche or his brother, the Earle of Louthian, or in caſe of his refuſall to accept, the Sheriff of Tevitdail, or Richard Dowglas his ſon.

OUT of the Sheriffdom of Berwick 1200. Foot and 100. Horſe, Colonell for the Foot, the Earl of Home.

OUT of the Sheriffdom of Hadingtoun 1200. Foot and 100. Horſe, Colonels for the Foot, the Lord Jeſter and Laird of Wauchtoun, and in caſe of Wauchtouns refuſall, the Lord Jeſter to be Colonel for the whole.

OUT of the Sheriffdom of Edinburgh to Land 1200. Foot, and 100. Horſe, Colonels to the Foot, the Lord Balmerino, or in caſe he accept not, the Laird of Colingtoun and the Lord Cranſtoun.

OUT of the Sheriffdom of Linlithgow 500. Foot, and 60. Horſe; and out of the Sheriffdom of Peebles 400. Foot and 40. Horſe, Colonel for the Foot of thir two Shires, the Lord Bargany.

OUT of the Sheriffdom of Dumfreis 1200. Foot 120 Horſe, Colonels for the Foot, the Earl of Dumfreis and the Laird of Kelhead.

OUT of the Sheriffdom of Wigtoun 1200. Foot, 120. Horſe, Colonels for the Foot, the Lord Gairlais, and the young Laird of Lag.

OUT of the Sheriffdoms of Air and Renfrew, 200. Foot and 240. Horſe, Colonels for the Foot, the Earl of Glencairne, the Lord Roſs, and the Lord Cochrane.

OUT of the Sheriffdom of Lanerk 1500. Foot and 200. Horſe, Colonel for the Foot, the Lord Duke of Hammiltoun.

OUT of the Sheriffdom of Sterling and Clakmanan 1000. Foot and 120. Horſe, and the Town of Stirling exeemed (in regard of the peſtilence) from the one half of their proportion, extending to
Colonel for the Foot, the Earl of Callender.

OUT of the Sheriffdoms of Fife and Kinroſſher 1500. Foot, and 240. Horſe, Colonels for the Foot, the Earl of Kellie and the Lord Elcho, and the Eſtates of Parliament, remits to ane Committee of the Shire, which is to be equall of the Gentry and Burrows of the Shire, to proportion the eaſe granted by the Parliament to this Shire.

OUT of the Sheriffdom of Perth 2400. Foot, and 240. Horſe, the Town of Perth and Culros to be tane in conſideration by the Committee of the Shire, in regard of the former vaſtations by the Plague, and all other places in the Shire, which are now waſte by the ſame or by the Warre; And the Eſtates declares, that what the Committee ſhall deduce in reſpect of waſted lands, ſhall be deduced to the Shire: And alſo declares, that the heritors of theſe waſted lands ſhall only be lyable to put out their proportion according to the fourth man they have preſently. The Colonels of the foot, the Earl of Atholl, the Earl of Tullibardine and Sir James Drummond younger of Machanie.

OUT of the Sheriffdom of Forfar, 1500. Foot, and 140. Horſe, the Town of Breichen exemed of 30. men of their former Levie, Colonel for the Foot, the Lord Carnegie.

OUT of the Sheriffdom of Kincardine, and the Earl of Merſchellis part of Aberdeen 1200. Foot, and 100. Horſe, Colonels for the Foot, George Keith, brother to the Earl of Marſchell and Colonel Harie Mauld.

OUT of the reſt of the Sheriffdom of Aberdeen, and out of the Sheriffdom of Bamff, 1600. Foot, and 240. Horſe, the Town of Aberdeen to be exemed from 60. of their proportion, in regard of their vaſtation by the Peſtilence. The Town of Culane of 6. and the Town of Bamff of 7. Colonels for the Foot, The Lord Bamff or his ſon, and the Maſter of Forbes: And the Eſtates of Parliament remits to the Committee of 24, to divide the proportion of Horſe and Foot whilk Kincardine, Aberdeen and Bamff ſhall put out.

OUT of the Sheriffdom of Elgine, Nairne, and that part of Inuernes on this ſide Neſs, 1500. Foot, and 120. Horſe. The Town of Nairne to be exeemed of the two parts of three of their former proportion. The Town of Forres to be exeemed of 6. men, and the Town of Inuernes and Elgine to put out their fourth man upon the Oaths of the Magiſtrates and Miniſters: Colonel for the Foot, the Earl of Murray. And the Eſtates of Parliament recommends to the Committee of Warre of the Shire to have conſideration of the vaſtation of the Sheriffdom of Nairne, and the like conſideration for the Town of Inuernes, in reſpect of its great and extraordinary condition.

OUT of the Earl of Seaforth and Lord Lovattis diviſion of Inuernes, 1000. Foot, and 120. Horſe. Colonel for the Foot, the Barron of Kilrawik. And the Eſtates of Parliament remits to the Committee of 24. to make ane juſt diviſion betwixt the Earl of Seaforth and Lord Lovattis diviſion foreſaid.

OUT of the Earl of Seaforths part of Inuernes, Sutherland and Cathnes, 1600. Foot, and 120. Horſe, Colonels for the Foot, the Earl of Sutherland, or in caſe of his refuſall, the Laird of Duffus and the Laird of Murkill, and in caſe both Sutherland and Duffus refuſe, the Laird of Lumlar, ſo in this caſe the Lairds of Murkill and Lumlar to be Colonels, and the Eſtates remits to the Committee of 24. to clear this diviſion.

OUT of the Marques of Argyles diviſion of Inuernes and Badzenoche, 1000. Foot, Colonel, the Laird of Machcleoud or his brother Rorie.

OUT of the Sheriffdom of Bute, 50. Foot.

OUT of the Sheriffdom of Dumbartan in place of their Foot 40. Horſe, and this eaſe of their former Leavies to be given to theſe Pariſhes who hes had greateſt loſs by the Enemy. And in particular, the Barronie and Parochine of Lengie, and each Horſman to be rated at 160. l. and the Town of Dumbartan to be exeemed from Ten of their old proportion.

THE Sheriffdom of Argyle exeemed.

OUT of the Sheriffdom of Orkney 1000. Foot, Colonel, the Earl of Morton or any that he ſhall appoint who is capable thereof, according to the Laws of this Kingdom.

FOLLOWS the Liſt of the Colonels of Horſe, with their proportions of Horſe out of the ſeverall Shires.

THE Earl of Arroll, out of the Sheriffdom of Aberdeen 80. Horſe.

THE Earl of Merſchell, out of the Sheriffdom of Kincardine and part of Aberdeen 80. Horſe.

THE Earl of Buchane, out of the Sheriffdom of Forfar, 70. Horſe, and out of the Sheriffdom of Bamff, 10. inde 80. Horſe.

THE Earl of Dumferling, out of the Sheriffdom of Fyfe, 80. Horſe.

THE Earl of Lauderdail, out of the Sheriffdom of Hadington, 80. Horſe.

THE Earl of Traquair, out of the Sheriffdom of Peebls 40. Horſe, and out of the Sheriffdom of Drumfreis 40. Horſe, inde 80. Horſe.

THE Earl of Dalhouſsie or his ſon, out of the Sheriffdom of Edinburgh, 80. Horſe.

THE Earl of Lanerek, out of the Sheriffdom of Lanerk 80. Horſe.

THE Vicount of Kenmure, out of the Sheriffdom of Wigtoune and Kirkcudbright 80. Horſe.

THE Vicount of Dudhope, out of the Sheriffdom of Forfar 70. Horſe, and out of the Sheriffdom of Bamff 10. Horſe, inde 80. Horſe.

THE Vicount of Frendraught, out of the reſt of the Sheriffdoms of Aberdeen, and Bamff, not formerly aſſigned 80. Horſe.

THE Lord Sinclair, out of the Sheriffdom of Fyſe 80. Horſe.

THE Lord Spynie, out of the Sheriffdoms of Stirling and Clakmannan 80. Horſe.

THE Lord Balcarras, out of the Sheriffdom of Fyffe 80. Horſe.

THE Lord Montgumrie, out of the Sheriffdoms of Air and Renfrew 80. Horſe.

THE Lord Levenſtoune, out of the Sheriffdom of Edinburgh 20. Horſe, and out of the Sheriffdom of Linlithgow 60. Horſe, inde 80. Horſe.

LIEVETENANT General David Leſly, out of the Sheriffdom of Pearth 80. Horſe.

GENERAL Major Midletoune, out of the Sheriffdoms of Roxburgh and Selkirk 80. Horſe.

SIR John Broune, out of the Sheriffdoms of Roxburgh and Selkirk 40. Horſe, out of the Sheriffdom of Berwick 20. Horſe, and out of the Sheriffdom of Hadingtoune 20. Horſe, inde 80. Horſe.

SIR Mungo Murray, out of the Sheriffdom of Drumfreis 80. Horſe.

ROBERT Montgomery, out of the Sheriffdoms of Air and Renfrew 80. Horſe.

HARRIE Barkcley, out of a part of Aberdeen Shire and Bamff 80. Horſe.

DAVID Barkcley, out of Inuernes and Murray 80. Horſe.

Hurrie, out of the Sheriffdom of Renfrew 40. Horſe, out of the Sheriffdom of Dumbartan 20. Horſe, and to receive 4000. Merks money, inde 80. Horſe.

GILBERT Ker, out of the Sheriffdoms of Roxburgh and Selkirk 80. Horſe.

JAMES Merſer of Aldie, out of the Sheriffdom of Perth 80. Horſe.

Lokhart of out of the Sheriffdom of Lanerk 80. Horſe.

THE Laird of Ludquharne, out of the Sheriffdoms of Stirling and Clakmannan 40. Horſe, out of the Sheriffdom of Lanerk 20. Horſe; and out of the Sheriffdom of Dumbartan 20. Horſe, inde 80. Horſe.

Strauchane, out of the Sheriffdom of Perth 80. Horſe.

THE Laird of Garthland, out of the Sheriffdom of Wigtoune 40. Horſe, and out of the next adjacent of Air to Wigtoun, 40. Horſe, inde 80. Horſe.

QUARTERMASTER Innes, out of the Sheriffdom of Elgine, Nairn, and that part of Inuerneſs, on this ſide Neſs 80. Horſe.

JOHN Home, out of the Sheriffdom of Berwick 80. Horſe.

COLONELL Hew Fraſer, out of the reſt of the Sheriffdom of Inuerneſs [40 Horſe] and [out of the Sherifdom of] Sutherland 40. Horſe, inde 80. Horſe.

AND the Eſtates of Parliament, Ordains the Clerk of Regiſter, to tranſport the foreſaid Act abovementionate, with the Liſts reſpective abovewritten, thereto ſubjoyned.

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V MAII.

ACT Earl of Wintoun. 27

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VIII MAII.

ACT Colonell Hary Barklay. 28

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IX MAII.

ACT prorogating the Maintenance fra the firſt of March, 1648. to the firſt of Auguſt, 1648.

29 THE Eſtates of Parliament, conſidering the dangers now threatening Religion, the Covenant, the Kings Majeſtie, and the peace of thir Kingdoms; and that they are thereby neceſsitat to keep up the Forces within this Kingdom, and to provide for their entertainment; Have therefore thought fit to prorogate, and continue the monethly maintenance in that ſame proportion it was firſt laid on, and that for the ſpace of five moneths, viz. From the firſt day of March laſt to the firſt day of Auguſt next to come. And therefore Statutes and Ordains, that ilk Shire and Burgh within this Kingdom are and ſhall be lyable and obliged in payment of the particular ſums of money underwritten for each of the five moneths maintenance, above mentioned at the times and with the exceptions afterſpecified; And Ordains the ſame to be payed in to Sir John Weyms of Bogie Treaſurer of the Army, and Collector General of the ſaid maintenance, or his Deputes and ſub-Collectors, appointed by him for receiving thereof, at the terms following, viz. The firſt three moneths, of March, April, and May, betwixt and the laſt day of May, and the other two moneths of June and July betwixt and the fifteenth day of July next to come. And in the payment hereof, The Eſtates ordains the haill quarterings, and any payment of maintenance ſince the firſt of March laſt to the firſt day of Auguſt next to come, to be allowed and retained and diſcompted to them by the General Commiſſary or his Deputes Sub-Collectors to be charged upon the Accompts of the Army, the ſame being proven, and inſtructed according to the Act of quarterings of the 22. day of February, 1645. And that the ſums to be paid by the ſeverall Shires and Burghs, to be as follows, viz. The Sheriffdom of Orkney of monethly pay 1143.l. Inuernes 4176.l. Caithnes 945.l. Cromartie 99.l. Sutherland 423.l. Nairn 315.l. Elgine 1890.l. Aberdeen 6543.l. Bamff 1431.l. Kincardine 1566.l. Forfar 5004.l. Pearth 8001.l. Fyfe 6642.l. Stirling 2538.l. Kinroſſe 144.l. Clakmannan 522.l. Edinburgh 4167.l. Linlithgow 1746.l. Hadingtoune 3384.l. Berwick 3555.l. Roxburgh 5778.l. Selkirk 1278.l. Peebls 1638.l. Lanerk 5382.l. Air 6066.l. Wigtoune and Kirkcudbright 4374.l. Drumfries 4446.l. Renfrew 2205.l. Dumbartan 1233.l. Argyle 2907.l. Bute 459.l.

FOLLOWS the ſums payable monethly, by the Burrows conform to their taxt Roll, viz. Edinburgh, 5175.l. Pearth 810.l. Dundie 1200.l. Aberdeen 1260.l. Stirling 240.l. Linlithgow 324.l. St. Andrews 780.l. Glaſgow 1530.l. Air 342.l. Hadingtoun 324.l. Dyſert 270.l. Kirkcaldie 600.l. Monroſſe 324.l. Couper 216.l. Anſtruther eiſter 180.l. Drumfreis 270.l. Inuernes 450.l. Breichen 220.l. Irwing 252.l. Elgine 135.l. Jedburgh 126.l. Kirkcudbright 180.l. Wigtoun 135.l. Pettenweyme 120.l. Dumfermling 162.l. Dumbartan 162.l. Renfrew 90.l. Lanerk 162.l. Aberbrothok 81.l. Bruntiland 216.l. Peebles 108.l. Crail 216.l. Kinghorn 108.l. Tayne 90.l. Selkirk 126.l. Anſtruther weſtir 54.l. Culroſs 90.l. Dumbar 180.l. Bamff 72.l. Whithorne 45.l. Forfar 27.l. Rotheſay 60.l. Forres 54.l. Rutherglen 45.l. Northbervick 36.l. Collein 27.l. Nairne 36.l. Lawder 45.l. Inuerkeithing 90.l. Kilrynnie 27.l. Annan 30.l. Lochmaben 18.l. Sanquar 27.l. Gallaway 18.l. Dinguall 18.l. Queinſferrie 108.l. Dornoch 18.l.

FOR the better inbringing and collecting thereof, The Eſtates of Parliament appoints Sir John Weems of Bogie, with power to him to appoint deputis, ane or moe in each Shire and Pariſh in manner contained in the Act for the Taxt and Loan, which Collectors, Deputies of Shires, and Pariſhes, and Clerkes of Shires, ſhall have ſuch fees as is allowed in that Act for the Loan and Taxt, whilks are to be uplifted out of the Shires and Pariſhes, beſides the five moneths maintenance, But that the Burghs be free of all payment of the foreſaids Fees, in regard they collect their proportions upon their own charges: And alſo with power to him to nominate a Clerk to this maintenance, who is to have the ſame fee for thir five moneths proportionable, as was allowed by Parliament for the laſt nine moneths. And the Eſtates Ordains, that the Letters and charges to follow upon this Act, for payment of the foreſaid maintenance ſhalbe raiſed and direct at the inſtance of the ſaid Sir John Weems and Collectors aforeſaid againſt the ſub-Collectors of Shires, Magiſtrates of Burghs, Collectors of Pariſhes, Heritors, Fewers, Life-Renters, and others adebted in payment of their ſeverall proportions of this maintenance now impoſed, with reſervation of the ſuſpenſions underwritten: And Ordains the ſaid ſub-Collectors, Collectors of Pariſhes, Heritors, Fewers, Life-Renters and others, ſo to be charged by the General Commiſſary, to have Letters of relief, as is Ordaind by the Act for the Taxt and Loan. And for the more ſpeedy ingathering of the ſaids five moneths maintenance, at the terms of payment abovewritten, The General Collector is hereby warranted, that if any Shire or Burgh be deficient in payment of their parts of this Maintenance, at the times aforeſaid, he either employ ſome of his own Troop, or any others of the Forces, that ſhall happen to be on the bounds for the time as he ſhall think fit, for uplifting of this maintenance from the deficient Shires, Burghs, and Pariſhes; and whilks Troopers are to receive their entertainment from the deficients, at the ordinary

Rates, beſides the payment of their maintenance. And it is hereby Ordained, that the Committees of War be aiding and aſſiſting to the Generall Commiſſary herein for inbringing of this maintenance.

AND now the Eſtates of Parliament underſtanding by the report of the proceedings of the Commiſſioners, lately imployed, for trying of burnt and waſted Lands, that the Shires and Burghs underwritten, are not able to make ready ane totall payment of the ſums impoſed on them for this maintenance: Therefore until farder tryall be tane therein, the Parliament doth hereby ſuſpend the lifting of the particular ſums underwritten, from the Shires and Burghs reſpectivè following, viz. From the Sheriffdom of Inuernes, 666. l. 13. s. 4. d. From the Sheriffdom of Sutherland, 36. l. 13. s. 4. d. From the Sheriffdom of Nairn, 103. l. 6. s. 8. d. From the Sheriffdom of Elgine, 333. l. 6. s. 8. d. From the Sheriffdom of Aberdeen, 1333. l. 6. s. 8. d. From the Sheriffdom of Bamff, 318. l. From the Sheriffdom of Forfar 133. l. 6. s. 8. d. From the Sheriffdom of Pearth, 1333. l. 6. s. 8. d. From the Sheriffdom of Stirling, 133. l. 6. s. 8. d.

ITEM, For the Burroughs, viz. From Pearth, 333. l. From Aberdeen, 666. l. 13. s. 4. d. From Stirling, 53. l. 6. s. 8. d. From Inuernes, 450. l. From Breechen, 120. l. From Elgine, 53. l. 6. s. 8. d. From Dumbartan, 54. l. 13. s. 4. d. From Tayne, 24. l. From Bamff, 72. l. From Forfar, 8. l. From Rothſay, 20. l. From Forres, 54. l. From Collein, 27. l. From Nairne, 36. l.

THE Shires & Burghs always paying punctually the ſums, over and above what is ſuſpended, at the terms aforeſaid: And in regard of the preſent diſtreſſed condition of the Sheriffdoms of Argyle and Bute: The Eſtates do exeem the whole Sheriffdom of Argyle from all payment of the foreſaid five moneths maintenance: As alſo exeems the Sheriffdom of Bute from all payment of the equall half of the monethly maintenance abovewritten, impoſed upon that Shire for the ſaids five moneths: And Ordain the ſame Shire of Bute to be onely liable in payment of the other half of the ſaid monethly maintenance for theſe five moneths: And declares the Ile of Arran to be altogether free of any payment of that half, but the reſt of the Sheriffdome of Bute to pay the ſame.

AND alſo, The Eſtates declares this preſent Act to be without prejudice of the Act granted in favours of the Town of Inuernes of the 5. of January, 1647. That any Taxations or Impoſitions to be laid on that Town, be allowed to them in part of their loſſes, conform to the Tenor of that Act.

AND for the ſums particularly above ſuſpended, That the General Commiſſary ſute no payment thereof before the laſt day of Auguſt next to come, that betwixt and that time it may be tried what part and portions of that ſuſpended maintenance may be raiſed of the Shires. And for tryall thereof, Ordains Commiſsions to be direct to ſuch perſons, as the Parliament or Committee of Eſtates ſhall appoint, as the ſame ſhall be called for by theſe Shires and Burghs, in whoſe favours the ſuſpenſions are granted; and that betwixt and the ſaid laſt day of Auguſt, the report of the ſaids Commiſſions be returned, that accordingly the ſuſpended maintenance may be either diſcharged, or called for. And in caſe of the not return of the report as ſaid is, the Commiſſary General is hereby commanded after the ſaid laſt day of Auguſt, to charge for the haill maintenance of theſe Shires, without conſideration of the ſuſpenſions.

AND alſo it is Ordained, that no Retention, Suſpenſion, or diſcharge of this preſent maintenance be granted for any cauſe, other nor is above written for burnt and waſted lands, excepting onely for quarterings and payments as foreſaid; and ſuch Lands, Rents, Annual Rents, and other duties mortified to Colledges, Schools, Hoſpitals, Miniſters and School-maſters ſtipends, & for upholding Kirks and Bridges, whilks mortifications are to be deduced in each Shire, but notwithſtanding, the Shire beſides to be liable in payment of their whole maintenance: And that all other Heritors, Life-Renters, Takiſmen, Titulars, proper Woodſetters, Pentioners, Conjunctfiears, Lady tercers and others, ſubject to the valuation within Shires and Burghs, ſhall be lyable to their proportionable part of this maintenance, notwithſtanding of any Act paſt, or to be paſt in their favours, other nor is above ſet down, or to be paſt by this preſent Parliament.

AND in regard of this prorogating of the maintenance on the Shires and Burghs, for the five moneths above mentioned, viz. From the firſt of March laſt to the firſt of Auguſt next to come, at the full maintenance above written: It is Statute and Ordained by the Eſtates of Parliament, that every debtor ſhall have retention from the Creditors of ane and a half of each eight, payable for annuall Rent, for the ſaids five moneths above ſpecified; ſo that the debtor ſhall only be liable in payment of ſix and a half of annuall Rent for each hundreth of ſtock for theſe five moneths: And becauſe the foreſaid monethly maintenance was only continued upon the Shires and Burghs, and payable by them, from the firſt of November laſt, to the ſaid firſt of March laſt, with deduction of ane third part of the ſaid maintenance during that ſpace: Therefore the Eſtates grants only retention to the debtors, of ane of each eight, payable for annuall Rent during the ſaid ſpace, from the ſaid firſt of Novemb. to the ſaid firſt of March, during the whilk time the debtor ſhall only be liable in payment of ſeven of annuall

Rent, for each hundreth of ſtock; with this proviſion, that no debtor whatſoever ſhall have the foreſaid benefit of retention, who ſhall not pay his annuall Rent to the Creditor, within the ſpace of ane year after that ane preceding years annuall Rent is fully reſtand unpaid.

AND farder it is provided, That what ever creditor ſhall take band, promiſe, or condition from his Debtor, for payment of the haill annuall Rent at 8. per Centum, without retention of ane and a half for the hundreth, or ſhall not grant the retention aforeſaid; ſhall be conveened and cenſured as ane Uſurer; notwithſtanding of any ſuch paction by word or writ.

AND laſtly, It is Ordained that no ſuſpenſion be granted without conſignation, as is appointed by Act of maintenance of the 27. of February 1645. And that all Heritors within Burgh and Pendicles, and Liberties thereof (including for Edinburgh as Pendicles of the ſame, the houſes, Tenements and Yairds in Leith, Cannogate & Pleaſands, whereof the Town is either Proprietors or Superiors; and for the other Burrows, all that have been in uſe to be taxed with them) ſhall contribute with them for payment of the Maintenance, as is mentioned in the ſaid Act of the 27. of February, 1645.

AND laſt, to the end that the payment of this maintenance be alſe equall and proportionable as can be: The Parliament Ordains the valuers of the ſeverall Shires already named, or ſuch as ſhall hereafter be named by Parliament or Committee of Eſtates, to meet, reviſe, and rectifie the valuation within the Shires: Provided alwayes, that notwithſtanding of this tryall, the Shires be liable in payment to the generall Commiſſar of the whole ſums above written laid on them by this Act.

AND Ordains, that the Lands and Teinds ſhall pay the foreſaid Maintenance, as they lie locally in Shires or Burghs, conform to the former Acts of maintenance. And it is hereby declared, that this Act is to be without prejudice of the Priviledges of the Lords of Seſſion conform to former Acts of maintenance. And Ordains this Act to be printed, and the former Act of Loane and Taxt to be reprinted and publiſhed, and gives hereby Warrant to the Clerk of Regiſter for that effect.

ACT in favours of the outreikers of Horſe and Foot in this Levie.

THE Eſtates of Parliament taking to their conſideration, that in the Act of maintenance now prorogate for five Moneths, viz. From the firſt of March 1648. To the firſt of Auguſt, thereafter there is no allowance thereby granted for retention to the Shires and Burghs in the outputting of the preſent Levies of Horſe and Foot of 100. l. for outreik of ilk Horſe with 20. dayes proviſion for each Horſeman, 12. l. 2. Dollors for ilk Footman with his 20. dayes Proviſion extending to 6. l. 50. Marks for each baggage Horſe, 2. Dollors for each baggage man, and 5. Dollors for the 2. Horſes and baggage mans march money: Therefore the Eſtates of Parliament Statutes and Ordains, That the particular ſums above written reſpectivè, to be undergone by the Shires and Burghs in outputting of their Horſe and Foot in this preſent Levie, ſall be allowed to the outreikers in the firſt end of any maintenance, excife or other publick impoſitions that beis impoſed upon the Kingdom after the ſaid firſt day of Auguſt 1648. years inſtant, if any ſall be impoſed before the payment of any other ſums dew be the publick, by the payment of the Armie (if any ſall then be) they inſtructing the outputting of the foreſaid Horſe and Foot, for the whilk they ſall crave the foreſaid allowance and retention.

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ACT in favours of Maſter John Middletoun. 31

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ACT in favours of the Officers of the L. of Lawers Regiment. 32

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ACT for the Officers in the Blair of Atholl. 33

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ACT L. of Greinnok. 34

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ACT Earl of Findlater. 35

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ACT Sir William Dick for ane 3. year tak of the Exciſe of Wines. 36

. . . . . .

ACT Generall Major Middletoun. 37

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ACT anent the Generall Commiſſar his accompts. 38

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ACT John Kennedy anent his accompts. 39

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X MAII.

ACT appoynting the Proveſt Baillies, and Councell of Edinburgh to be ane Committee of Warre within themſelves.

FORSAMICKLE as the Eſtates of Parliament, taking into their conſideration, that in their nomination and appoynting of the Committees of Warre

in the ſeverall Shires of the Kingdom, to Burgh and land there is none appointed for the Burgh of Edinburgh: to be upon the Committee of Warre of the Sheriffdom of Edinburgh within the whilk it lies, And herewith alſo conſidering that the Majeſtrates of Edinburgh are Sheriffs within themſelves; And that the Town with the pendicles thereof Canogate, Leith, and the pertinents whilks are under the juriſdiction of the Magiſtracie of Edinburgh, Is ſo conſiderable that it is expedient and neceſſary for the guid of the Subjects ſervice, that the Proveſt, Baylies and Councell of Edinburgh ſall be ane Committee of Warre within themſelves, and the juriſdiction for the Town of Edinburgh Canogate, including Pleaſance, South and North Leiths, and haill pendicles belonging to the juriſdiction of the Burgh of Edinburgh and Magiſtrats thereof, reſerving to the Shire in relation to the Levies Brughtoun and Cannomylnes or any other place to landwart, which formerly put out men with the Shire. Therefore the ſaids Eſtates of Parliament, do hereby nominate, appoint and authorize, the Proveſt, Bailies and Councell of the Burgh of Edinburgh, to be an Committee of War from the Parliament for the ſaid Burgh of Edinburgh, Cannogat, including Pleaſance, South, and North Leithes, and hail parts and Pendicles thereof, reſpectivè belonging to the Burgh of Edinburgh and juriſdiction thereof, and hail inhabitants of the ſamine ſubject to the juriſdiction of the Magiſtrates of Edinburgh, reſerving to the Shire as is above-written; And the Eſtates hereby grants the like power, libertie and Priviledges to the ſaids Proveſt, Bailies and Councell of Edinburgh, to be an Committee of War within themſelves as ſaid is; As is granted or any wayes belongs to the Committees of War of the ſeverall Shires of the Kingdom, and according to the tenour of the Act made in this preſent Parliament, anent the putting of the Kingdom in a Poſture of Defence. And nominating the Committees of War in the ſeverall Shires thereof.

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41 ACT for ane half moneths maintenance to the Army in Ireland.

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42 ACT exeeming the Town of Edinburgh from the Levie.

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43 ACT Dame Helen Elphingſtoun.

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44 ORDINANCE anent the Generall Officers.

WARRAND to the Committees of War of the Shires for reſtraining the flitting of Servants. 45

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ACT Laird of Lawers. 46

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[THE Anſwer of the Parliament of Scotland to the Commiſſioners Papers of the 2 and 9 of May, concerning Barwick and Carliſle.

WHEREAS your Lordſhips mentioned by your Paper of the 2 of May inſtant, That you formerly had given us notice of a Deſign ſome Engliſh Delinquents had to ſeize upon the Town of Barwick upon Tweed; by the ſame Addreſs you informed us, that Guards were kept there for preventing any ſuch Deſign; and as to your Demands concerning the Delivery of Captain Wogan and his Troop, and Sir Thomas Glemham, Sir Marmaduke Langdale, Sir Philip Muſgrave, Colonel Wray, and Sir Lewis Dives, We gave you ſuch Anſwers thereunto as we conceived agreeable to the Treaties, which by our Paper of the 2 of May inſtant, we offered to aſſert by conferrence; And whereas you give us notice that the Towns of Barwick and Carliſle are ſeized upon, contrary to the ſeveral Treaties betwixt both kingdoms; and by vertue of the large Treaty, your Lordſhips in Name of Both Houſes of the Parliament of England, do declare all thoſe who have ſeized and taken the ſaid Towns, or do now hold and keep the ſame in an Hoſtile way as a Gariſon, to be Enemies and Traytors to the Parliament and Kingdom of England, and in Arms againſt them; And likewiſe all Engliſh men, who ſhall any ways be aiding, aſſiſting or abetting to them; And do in their name alſo Demand, that in order to the repreſſing of them, we ſhould declare them Enemies to this kingdom, and likewiſe any of this kingdom, who ſhall ayd or aſſiſt them. To this and your Paper of the 9 relating thereto, we return this Anſwer, That as we have been always moſt careful to preſerve unviolated on our parts all the Articles of the Treaties betwixt the kingdoms, ſo when we ſhall be certainly informed by what perſons, and by what power and authority the places are ſeized upon and Gariſoned, your Lordſhips may be confident that this kingdom will do thereupon what is juſt and fit, and agreeable to their Solemn Covenant and Treaties; and upon this or any thing elſe you have in command from the two Houſes, we are ready to appoint ſome to confer with you.]

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XI MAII.

COMMISSION to the Committee of Eſtates for the intervall and receſs of Parliament.

47 FORASMUCH as the Eſtates of Parliament, having taken into their conſideration the imminent dangers threatening Religion, the Kings Majeſties Perſon and Authority, Monarchicall Government, Peace of this Kingdom, and union betwixt the Kingdoms: And for prevention thereof have appointed this Kingdom to be put into a Poſture of defence: And ſeeing for weighty and good conſiderations this preſent Parliament is to be adjourned and continued till the firſt of June next to come: Therefore that all things concerning the welfare and good Government of this Kingdom, relating either to Peace or War, and in caſe of neceſsity, Armies Levied or to be Levied, or the generall condition and poſture of the Kingdom may be rightly managed in the interim, and during this intervall of this Seſsion of Parliament: Therefore the ſaids Eſtates of Parliament have thought fit to nominate ane Committee of Eſtates: Likeas, hereby they do nominate, James Duke of Hammilton, Archibald Marquis of Argyle, John Earl of Crawfurd and Lindſey, John Earl of Lauderdail, William Earl of Lanerk, and James Earl of Callander for the Noblemen, Sir Andro Fletcher of Inuerpeffer, Sir Archibald Johnſtoun of Warieſtoun, Sir Adam Hepburn of Humbie, and Sir James Lokhart of Lea, four of the Senators of the Colledge of Juſtice, and the Lairds of Colingtoun and Arniſtoune for the Barons, Archibald Sidſerff Burgeſs of Edinburgh, Sir Alexander Wedderburn Burges of Dundie, Patrick Leſlie Proveſt of Aberdeen, George Bell Burges of Linlithgow, James Robertſone Burges of St. Andrews, and Thomas Macbirnie Burges of Drumfreis, or any nine of them as a quorum, there being ane of ilk Eſtate, and John Earl of Lowdoun Lord High Chancellor of Scotland, Sir Alexander Gibſon of Durie, Clerk Regiſter, and Sir John Weymes of Bogie General Commiſſar, to be ſupernumerary in the Commiſsion aftermentionate, as ane Committee of Eſtates, With power to them or quorum of them foreſaid, to conveen at ſuch times and places as they ſhall think fit, and there to take ſuch courſe, give ſuch Orders, Warrants, Inſtructions, or what elſe they finde neceſſary for defence of Religion, the Kings Majeſties Perſon and Authority, and promoving all the ends of the Covenant; And in this time of ſo apparent trouble for ordering and governing of the whole body of the Kingdom, and the Armies thereof Levied, or to be levied within the ſame; and to conſult and adviſe in every thing that may conduce to the good and ſafety thereof, With power alſo and command to them, to give order to the ſeverall Shires and Burghs of the Kingdom for raiſing of ſuch number of Forces, horſe and foot out of their ſeverall bounds and juriſdictions; and for outreiking of them with Armes, Ammunition, Victuall, and other neceſſaries as is preſcribed by Order of Parliament, to put the Kingdom in a Poſture of Defence, and to give Orders for their Quartering, Muſtering, Marching, right regulating of the ſame, and providing means and ſubſiſtance for them, conform to the Act of Parliament already eſtabliſhed, With power alſo to aſſiſt the Collector General in bringing in the Monethly Maintenance, Exciſe, and all publick dues: Likeas the Eſtates do hereby intruſt this Committee with the ſole and onely power of diſpoſing and diſtributing of all moneys that ſhall come in and be due to the publick any manner of way (But prejudice of any former aſsignments) and to imploy the Maintenance and Exciſe in the firſt place for maintenance of the Army and Garriſons, and the reſt for ſuch other neceſſaries as concerns the preſent ſervice; And that each precept for giving out of money, be ſubſcribed at leaſt by a quorum of the Committee being conveened in Committee; And that all perſons ſubſcribers of any precept ſhall be anſwerable to ſubſcribe no precept out of the Monethly Maintenance or Exciſe, but of the charges and entertainment of the Armies and Garriſons; wherein if they contraveen, they ſhall be liable in repayment of all ſuch ſums for which they ſhall draw precept for any other cauſe, till the maintenance of the Army and Garriſons be firſt payed or ſatisfied, and that no precepts be drawn but when there is money in the Caſh to pay the ſame. And the Eſtates do hereby Ordain the ſaid Committee in ordering the payment of any moneys to the Army, to deſtribute the ſame equally, and to take conſtant courſe, that all Regiments of Foot, Garriſons, Troops, of Horſe and Dragooners, be put and kept in equality, either in money proveant or proviſion according to their ſtrength. With power alſo to this Committee or quorum thereof to call before them all ſuch perſon or perſons of whatſoever quality degree or condition as ſhall riſe in Armes againſt the Kings Majeſtie and Authority of this Parliament, or ſhall act or do any thing againſt either of them, or concur, aſſiſt or correſpond with any perſons that ſhall riſe in Armes; and to pronounce ſentence, and do juſtice upon them conform to their ſeverall demerits: As alſo upon all thoſe Committees of War or others perſons who ſhall be deficient in doing of their duties or putting in execution the Orders of this preſent Parliament; and that alſe fully in all reſpects as the Eſtates of Parliament were ſitting in pleno conſeſſu: As alſo with power to give inſtructions from time to time to the Generall Officers; With power alſo to this Committee or quorum thereof by themſelves, or ſuch as ſhall be by them authorized to give anſwer to all Papers heretofore preſented to the Parliament in this Seſsion thereof, by the Commiſsioners of the Honourable Houſes of the Parlia-

ment of England and already remitted, or which hereafter ſhall be preſented to the ſaid Committee by them, & that by word or writ as they ſhall think expedient. As alſo to Treat and determine for payment of the Arrears due to the Scots Army in Ireland, and for their future entertainment, and diſpoſall of that Army in time coming, in haill or in part conform to the Treaty made thereanent, and as ſhall be thought fitteſt for the ſervice, With power alſo to them to call and require ſuch number of our Army in Ireland, and our other friends there, to come over into this Kingdom for our ſupply and aſsiſtance, and to make conditions and agreement thereanent: As alſo with power to them to give Paſſes and Warrants, to ſuch perſons as they ſhall think fit, and are not excepted in the Propoſitions, to go out of this Kingdom; With power alſo to the ſaid Committee or quorum thereof, to diſpoſe of all the Forces Levied or to be Levied within this Kingdom for the ſafety thereof, and to provide for the quarterings both of horſe and foot, and to nominate Colonells in place of thoſe who are already nominate by the Parliament, and ſhall happen to refuſe to accept that charge; And for that effect to call before them all theſe Colonells of horſe or foot who are already nominate by the Parliament: And to take aſſurance from them of the acknowledgment of the Parliaments Authority and juſtneſſe of the Declarations, and upon the backwardneſſe or refuſall of any of the Colonels to do the ſame, With power to diſplace them and put others in their rooms, With power likewiſe to them to give inſtructions to theſe Commiſsioners, who are appointed to go to Ireland; And to fill up what ſum they ſhall think fit in the Inſtructions already drawn up, With power alſo to the ſaid Committee, in caſe of ſickneſſe, death, or abſence of any of the ſaid Committee being required, to nominate any other in their place they pleaſe, they being Members of Parliament: And if any of the ſaids Commiſsioners ſhall not attend the meetings of Committee, and be abſent without Licence or lawfull excuſe, with power to the Committee to Fine them, conform to the Act of Parliament: And generally to do all and ſundry other things requiſite, anent the ordering and managing of all affairs and buſineſſe which may advance or conduce to the good and peace of the Kingdom, Firme and ſtable holding, and for to hold all and every thing which the ſaid Committee or quorum thereof ſhall do in the premiſſes by vertue of this Commiſsion, Which is to endure till the next meeting of Parliament.

ACT prorogating the Excife, and appointing the Commiſsioners and Theſaurer of the ſame.

48 THE Eſtates of Parliament taking in conſideration the preſent ingagement and increaſing occaſions for money; Do therefore hereby prorogate and continue the haill Excife of the Kingdome at the rates mentioned in the Act of Parliament of the 10. of March 1647. for the ſpaces following, viz. the Wines for the ſpace of three yeares after the firſt of November next 1648. yeares. And the haill remanent Exciſeable goods for the ſpace of ane year, conform to the tenour of the foreſaid Act in all points, and with the power of collecting and up-lifting of the ſame Excife in manner mentioned in the ſaid Act, Except allanerly that the Excife of the Wines is onely to be collected and up-lifted from the Vintners thereof, and not from the Merchants and home-bringers of the ſame: The Excife of the whilk Wines is ſet by the Parliament to Sir William Dick for the ſpace of three years after the ſaid firſt of November next, conform to the Act granted in his favours by the Parliament thereof, of the date the 9. day of May inſtant. And ficklike the ſaids Eſtates of Parliament grants and renewes the former Power, Warrant and Commiſſion mentioned in the ſaid Act and Commiſſion of Excife of the date above-written to the perſons following, viz. David Earl of Southesk, Robert Lord Burghlie, Maſter George Dundas of Maner, Cockburn of Clerkingtoun, Archbald Sydſerf Burgeſſe of Edinburgh, and George Gardyne Burgeſſe of Bruntiland: To whom, or any foure of them as the Quorum, The ſaids Eſtates of Parliament grants the former Power, Commiſſion and Warrant contained in the former Commiſſion of the Excife in all points, and conform to the tenour thereof without derogation in any ſort. And diſcharges any former nomination and election of Clerk deputes to the Excife. And declares that place to be void and vacand in the Clerk Regiſters hands. And ordaines Sir John Weymes of Bogie Generall Commiſſar, and the Theſaurer of the Excife after-named to be ſuper-numerarie in the foreſaid Commiſſion for the Excife. And for the better keeping of accompts and the more ready regulating of the Publick moneys, Ordaines that there be but ane Publick Receiver or Theſaurer, And that therefore the Parliament nominates John Jowſſy Merchant Burgeſſe of Edinburgh, to be Theſaurer of the ſaid Excife, and he to have the ſame Power, Priviledge and Fees that Sir James Stewart laſt Theſaurer had, and ane Commiſſion to be drawne conform thereto. And that the Eſtates of Parliament remits and recommends to the Commiſſion for the Excife, to take in conſideration the particulars that the Burrows or any others ſhall repreſent for regulating of the Excife; With power to the Committee to do thereanent, as they ſhall finde juſt. As alſo that no ſtranger be preferred to the Excife of Shires and Burghs, if the Inhabitants will take the ſame to the avail, and give aſſurance for payment thereof.

ACT repealing the Commiſsion granted to the Commiſſioners ſent to England.

49 THE Eſtates of Parliament taking in conſideration, That the Parliament by their Act of the 16. of July, 1644. hes given Commiſſion to the Commiſſioners therein-ſpecified, to go to England and treat with the Parliament of England, or ſuch as they ſhall appoint concerning the Propoſitions of peace with the Kings Majeſty, as the foreſaid Act of Commiſſion at more length bears. And herewith alſo conſidering, That the foreſaid Commiſſion with the treatie and matters therein-mentioned, are now interrupted, and for ane time intermitted, ſo that it is needleſſe that the ſamine Commiſſion, nor power therein-ſpecified, thereby granted to the Commiſſioners reſpectivè therein-mentioned, remain or ſtand any longer in vigour, force, ſtrength or effect, while new occaſion to renew the ſamine. Therefore the ſaids Eſtates of Parliament, Repeals, recalls and reſcinds the ſaid Act of Parliament in the haill heads and clauſes thereof, and declares the ſame void and expyred in all time coming. Without prejudice alwayes to the Commiſſioners therein-mentioned of their bygone approbation granted to them. And alſ without prejudice to them and the Earl of Lanerk, of the ſummes due and allowed to them for their expenſes and the arrears thereof reſting unpayed, whereof the Eſtates remits and recommends the conſideration to the Committee of Eſtates, That they may take an effectuall courſe for their preſent payment, and the like for Sir John Cheiſlie, and John Done ſervitour to him.

A LETTER ſent from the Parliament of Scotland to the ſeverall Presbyteries within the Kingdom.

RIGHT REVEREND,

THE many ſcandals that are thrown on our Actions by the favourers of Sectaries, and haters of the Perſon of our KING and Monarchicall Government invite us to this extraordinary addreſſe to you; Conjuring you, as you will anſwer to the great GOD whoſe ſervants you are, not to ſuffer your ſelves to be poſſeſt with unjuſt and undeſerved prejudices againſt us and our proceedings, who have ſince our late meeting in Parliament preferred no earthly thing to our Duties to Religion, and the promoving of all the Ends of our Covenant, and have conſtantly uſed all reall endeavours to have carried on thoſe Duties to the ſatiſfaction of the moſt tender conſciences: And eſpecially by our great compliances with the many deſires from the Commiſſioners of the Generall Aſſembly; We have proceeded to greater diſcoveries of our Reſolutions, in the wayes and means of managing this preſent Service, then poſſible in prudence we ought to have done, having ſo neer and active enemies to oppoſe us: Neither can it be with any Truth or Juſtice in any ſort alledged, that we have in the leaſt meaſure, wronged or violated the true Priviledges and Liberties of the Church, or any wayes taken upon us the determination or deciſion of any matters of Faith or Church Diſcipline, though we be unjuſtly charged with taking an antecedent judgement in matters of Religion; under pretence whereof great encroachments are made on our unqueſtioned Rights. For what can be more Civill, then to determine what Civill Duties we ought to pay to our KING? Or what Civill Power he ought to be poſſeſſed of: And if we meet with obſtructions and oppoſition in carrying on thoſe Duties, are not we the onely Judges thereunto? Is there any other Authority in this Kingdom, but that of KING and Parliament, and what flowes from them, that can pretend any Authoritative power in the choice of the Inſtruments and Managers of our publick reſolutions? Is it a ſubject for the diſpute of Church Judicatories, Whether his Majeſty hath a negative voice in Parliament, or not? Theſe certainly cannot be pretended to by any Kirk-man, without a great uſurpation over the Civill Magiſtrate, whereof we are confident the Church of Scotland, nor any Judicatory thereof will never be guilty, nor fall into the Epiſcopal diſeaſe of medling with Civill affairs: And if any have already in theſe particulars exceeded their bounds, we expect [the] enſuing Generall Aſſembly will cenſure it accordingly; and prevent the vilifying and contemning the Authoritie of Parliament by any of the Miniſtery, either in, or out of their Pulpits, or who ſhall offer to ſtir up the Subjects of this Kingdom, to diſobey, or deny to give Civill obedience to their Laws: It being expreſly prohibit by the 2. and 5. Acts of Ja. 6. his 8. Parliament in Anno 1584. That none of his Majeſties Subjects, under pain of Treaſon, impugne the Authority of Parliament. And therefore ſeeing the cauſe is the ſame, for which this Kingdom hes done and ſuffered ſo much, and that we are reſolved to proceed for the preſervation and defence of Religion, before all other worldly intereſts whatſoever; And to carry on ſincerely, really, and conſtantly the Covenant and all the ends of it; as you will finde by our Declaration herewith ſent to you: We do confidently expect, that as the Miniſters of this Kingdom have hitherto been moſt active and exemplary in furthering the former Expeditions, ſo now you will continue in the ſame zeal, to ſtir up the people by your preaching and prayers, and all other wayes in your calling, to a chearfull obedience to our Orders, and engaging in this buſineſſe: And that you will not give ſo great advantage to the enemies of Presbyteriall Government, and bring ſo great a ſcandall on this Church, as to oppoſe the Authority of Parliament, or obſtruct their proceedings in their neceſſary duties for the good of Reli-

gion, the Honour and happineſſe of the KING and his Royall Poſterity, and the true peace of his Dominions.

Signed by order of Parliament

ACT adjourning the Parliament till the firſt day of June 1648.

50 THE Eſtates of Parliament, for the grave and weighty conſideration and reſpects moving them, Hes adjourned and continued, and do hereby adjourne and continue this preſent Seſſion of Parliament and their next meeting thereintill, till the firſt day of June next to come at Edinburgh. At whilk day and place, the Eſtates of Parliament Ordaines the haill Members of Parliament, aſwel the Noblemen as the preſent Commiſsioners for Shires and Burrowes to attend and be preſent.

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51 ACT anent the Commiſſioners of Burrowes.

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52 COMMISSION to James Duke of Hammiltoun &c. to be Generall of the whole Forces Foot and Horſes by Sea and Land, within and without the Kingdom.

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53 COMMISSION to the Earl of Callander, to be Lieutenant Generall of the whole Forces aforeſaid.

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54 COMMISSION to David Leſlie to be Lieut. Generall of the whole horſes.

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55 COMMISSION to John Middletoun to be Generall Major to the Horſes.

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56 COMMISSION to James Howburn to be Generall Major to the Foot.

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57 COMMISSION to Alexander Hammiltoun to be Generall of the Artillery.

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58 COMMISSION to Sir John Weymes to be Generall Commiſſar.

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59 COMMISSION Robert Innes to be Generall Quarter-maſter.

ACT in favo^{r} of Jonet dumbar

ATT Edinburgh the Ellevint day of May The yeere of god J^{m} vj^{c} ffourtie aught yeeres THE ESTATES of parliament haveing heard and conſiddered The reporte of the Cõmittee for the Billis concerneing the Supplicatioune of the poore diſtreſt widow Jonet dumbar relict of vmq^{t} Leutennent collonell bryſſoune for peyment to her and her faþ'les childring of Ane thouſand pundis ſcottis As the remander of Twa thouſand ane hundreth thrieſcoir pund^{s} ſcottis dew to her vmq^{t} huſband of his arrearis at his deceas And contenit in the act of þe Cõmittee of eſtaites grantit to the ſupplicant þ^{r}vpone of the thrid of februar 1648. As the ſupplica^{t}un mair fullie beires THE SAIDIS ESTATES of parliament Inreſpect of the extreame and vrgent neceſsitie of the ſaid Jonet dumbar ſupplicant and her childring throw thair want of meanes for ſubſiſtance ORDAINES Sr Johne Weymes of Bogie kny^{t} generall Cõmiſſar And doe heirby give precept and warrand to him To pay to the ſaid Jonet dumbar ſupplicant The foirſaid haill Ane thouſand pundis ſcottis In full and [illegible] peyment of her ſaid vmq^{t} huſbandis arrea[illegible] of þe ſoume contenit in the ſaid act of þe Cõmittee of Eſtaites granted in her favo^{r} And inreſpect of her and her ſaid childringis preſent neceſsitie and want Ordaines the ſaid Generall Cõmiſſar (Gif he cannot give her the foirſaid haill Ane thouſand pundis ſcottis) To give to her ſome pairt or portioune þ^{r}of for ſupplieing her and her childringis preſent neceſsities And þ^{r}efter in pairtis and portiounes as ſhee ſall requyre for her ſubſiſtence whill ſhee be compleitlie peyed of the forſaid Ane thouſand pundis ſcottis whairanent thir p̃tis ſall be ane ſufficient warrand 60

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ACT Maſter Robert Farquher. 61

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REFERENCE and act Maſter Gilbert Stewart. 62

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COMMISSION for burnt and waſted Lands in Aberdeneſhire. 63

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ACT Earl of Eglintoun. 64

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REFERENCE and act Sir James Stewart and James Hammiltoun. 65

66 ACT Marqueſſe of Argyle, Earl of Eglintoun, and Maſter Robert Barklay.

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67 ACT anent Maſter Andro Cant of Colmieſtoun.

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68 COMMISSION for burnt and waſted Lands in Nairnſhire.

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69 COMMISSION for burnt and waſted Lands in the Shire of Elgine and Forres.

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70 COMMISSION for burnt and waſted Lands in Bamffhire.

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71 RATIFICATION Earl of Callander.

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72 RATIFICATION Sir Alexander Levingſtoun and his heires.

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73 RATIFICATION of the Town of Glaſgowes gift of mortification.

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74 RATIFICATION Angus Macpherſane.

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75 RATIFICATION Malcome and James Macpherſanes.

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76 RATIFICATION in favours of the Miniſters of Air, Alloway, and ſome others.

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77 ACT and Ratification in favours of the Town of Paiſley.

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78 RATIFICATION in favours of the town of Queensferrie.

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79 RATIFICATION Hector Douglas of Muldarg.

. . . . . .

80 RATIFICATION to the Parſon of Reſtalrig

RATIFICATION Earl of Crawfurd and Lindſay, and Lord Parbroth his ſon. 81

. . . . . .

PROTESTATION Duke of Hammiltoun againſt the Town of Glaſgowes ratification.

. . . . . .

PROTESTATION Town of Ranfrew againſt the Town of Paiſleyes ratification.

. . . . . .

ADDITION to the Committee of War of the Shire of Roxburgh. 82

. . . . . .

ACT of approbation in favours of the Earl of Levin. 83

. . . . . .

COMMISSION Captain Andro Hay to be Lieutenant to the Generall Quartermaſter. 84

. . . . . .

REFERENCE concerning Bills and Supplications. 85

. . . . . .

I JUNII.

WARRAND to the Magiſtrats of Edinburgh for executing John Henry. 86

. . . . . .

II JUNII.

ACT and proteſtation anent the Committee of War of Linlithgowſhire. 87

. . . . . .

ORDINANCE of Parliament in favours of thoſe that proteſted againſt the ſupplication of the Committee of War of Fyff. 88

. . . . . .

ANENT the Lord Cochrane his going to Ireland. 89

. . . . . .

III JUNII.

ANENT the keeping of the Caſtle of Striviling by the Earl of Callander. 90

. . . . . .

ACT Sir Charles Erskeen for keeping of the Caſtle of Dumbartan. 91

VI JUNII.

ACT anent the Oath to be tane by the Committees of War of the ſeverall Shires.

92 THE whilk day, this Act following, Edinburgh 16. May 1648. Foraſmuch as the Committee of Eſtates are informed, That divers perſons nominated to be on the Committees of War of the ſeverall Shires, refuſeth to accept that charge and truſt, and will not give their oaths for the faithfull Adminiſtration of what is thereby intruſted to them: And the Committee finding themſelves obliged to take ſuch courſe as the publict ſervice be not thereby obſtructed: Do therefore Ordain and Command all and ſundry the ſeveral perſons nominate to be on the Committees of War of the ſeveral Shires who have or ſhall accept that charge, and give their oaths of faithfull Adminiſtration, that they go on by themſelves in the diſcharge of their Commiſſion; and diſchargeth ſuch as doth not accept and give their Oaths from being admitted on the Committees, or having any voice therein, ay and while they give their oath and accept, or till the Parliament take further order therein. *Extractum ſic ſubſcribitur, Archibald Primeroſe.* Being read in audience of the Parliament, The Eſtates of Parliament ratifies and approves the ſamine in all points conform to the tenour thereof; And Ordains the oath abovewritten, to be tane by each perſon and Member, to be admitted in the ſeverall Committees of Shires, before they be received as Members thereof, and have place and voice thereintill.

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[ACT anent ꝑe ꝯmittie of Warre of Mid Lowtheane

AT Edr the penult day of Maij 1648.

THE quhilk day a frequent number of the perſones eſtermenonat appoynted be the act of parliament to be vpone the counſell of war of the frefdome of Edinburr prinll and had given ꝑr oathes of faithfull adminiſtraoun of befoir and acceptit ꝑr charge viz The Lord Ramſay The Laird of Inuerleith Sr William Niſbet of Deane knyt Sr Johne Couper of Gogar knyt The Laird of Hattoun Sr Johne Dalmahoy elder and ꝯounger The Laird of Babertoun Sr James ffoullis of Collingtoun knyt Mr Adame Cunninghame of Woodehall The Laird of Craigmiller The Laird of Ludgtoun ꝯounger Mr William Little of Overlibbertoun James Boyde off Temple Sr James Dundas of Arneſtoun Sr Harie Niſbet Sr Patrik Hamiltoun of Litle preſtoun knyt Patrik Hamiltoun his eldeſt lawfull ſone The Laird of Smetoun The Laird of Newtoun Sr Thomas Thomeſone of Dudingſtoun The Laird of Munck-toun The Laird of Pilrig Mr David Anderſone of Hill The Laird of Selmes and Kincaid of Warieſtoun and James Broun baillie of Muſſelburt HAVEING mett in ꝑr ordinar place of meitting IT was proponet be the fd Sr James Dundas of Arneſtoun knyt laſt preſident to the meitting of the ſchyre That the cōmittie and ſie Memberꝯ thairof as had formerlie acceptit ꝑr charge And given thair oathes of faithfull adminiſtraoun ſuld make a choyſe of a new preſident to the pñt meitting And that in the tyme of the electioun ſic perſones as wer Nominat be the parliament to be vpone that Cōmittie suld aither remove or ſitt ſtill And not voce anie till the oath forſd ſuld be miniſtred to thame be the preſident ſua to be choſen Conforme to ane act of the cōmittie of eſtaittes off the dait the [16] day of Maij Jm vic fourtie aucht ȝeires inſtant in the pñt meitting Producet / Quhilk was altogidder refuſet and denyet by the Lord advocat and the haill forſdis perſones quha had not formerlie acceptit Alledgeing they culd nowayis be debarret fra haveing voce in the electioun of the preſident Be the forſd act of cōmittie ſince they were elected to be Memberꝯ thairof be the parliament Quhairvpone the fd meitting deſolvet And the Lairdꝯ off Collingtoun and Arneſtoun in ꝑr awne Name and in Name of the haill cōmittie Quha had formerlie accept[illegible] given ꝑr oathes Tuick inſtrumentꝯ of the production of the fd act of the cōmittie of eſtaittes Anent the admiſſioun of the cōmittie And proteſtit that the forſdꝯ perſones quha had not given ꝑr oathes as fd is Culd doe nothing in Name of the cōmittie of the ſchyre And gif they fuld take vpone hand To doe anie ſic thing They ſuld be anſrable for the ſame Vpone the quhilk haill premiſſ The fd Laird of Collingtoun aſkit and tuick Inſtrumentis ane or mae in the handis of me Notar publick Vnderſubſcryveand Thir things wer done at the meitting of the ſchyre Betuixt tuelff and ane befoir and eft Noone day ȝeir and place forſd Befoir thir witneſſ James Wynrame of Curriehill Archibald Kincaid ȝounger in Northleith Mr Robert Hodge collector of the ſchyre and capitane Williame Borthick ȝounger of Halheriote with divers vtherꝯ callit and requyret to the premiſſ

Ita eſt Magiſter Georgiꝰ Stratoun clericus ac Notariꝰ publicus ad premiſſa requiſitus teſtañ meis ſigno et ſubſcriptione Manualibus

6. Junii 1648

Red in audience of ꝑliament Quha approves the forſd ꝑſtitut ꝯmitte above writtin And appoyntes theſ quha tuick the oathe apairt frome thame To tak the ſamen anew againe judiciallie befoir the ſaid ꝯmitte conforme to the act of ꝯmitte of eſteatꝯ: Otherwayis diſcharges thame to ſitt in the ſamen ꝯmitte

LOUDOUN Canᵗrius
I P D P.]

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93 REFERENCE Sir Charles Erskeen.

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VII JUNII.

[THE Anſwers of the Parliament of Scotland to the Papers after mentioned, preſented to them from the Engliſh Commiſſioners.

THE Eſtates of Parliament have received your Lordſhips Papers of the firſt of this inſtant June, with the Votes of the Honorable Houſes of the 6. of May laſt, to which they can return no Anſwer, until juſt ſatisfaction be given to their neceſſary Deſires of the 26. of April.

BY your other Paper of the ſame date, your Lordſhips gave notice of the Lord Fairfax his march unto the Northern counties, by command from the Honourable Houſes of the Parliament of England, with this aſſurance, That it is not with the leaſt intention of any offence or prejudice to the Kingdom of Scotland: And as you therein expreſs the reſpect of the two Houſes to this Kingdom, ſo the Parliament do aſſure your Lordſhips, That their Reſolutions of raiſing new Forces within this Kingdom for their own ſecurities, and for obſerving their pious and loyall Deſires, are without the leaſt intention to interrupt the Union betwixt the Kingdoms of Scotland and England, or violate in the leaſt maner any of the Articles of the Solemn League and Covenant, by which they are ſo ſtrictly united under his Majeſties government.]

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94 ACT concerning the Committee of War of Eaſtlowthean.

[THE humble ſupplica°ne of the cōmittee of warre of the ſ^r^efdome of hadingtone to the hono^ll^ eſtaitꝭ of pliament

Sheweth

THAT q^r^wpon the 29 day of Maij laſt þ^r^ being tuo ſupplica°nes pñtit to ws on q^r^of from the pr̃ie of hadingtone and the other from the preſbyterie of dumbar ſub^t^ be the haill miniſterie of both pr̃ies And the ſ^d^ cōmitte having continewed the conſidera°ne or giving anſ^r^ to the ſ^d^ꝭ ſupplica°nes till this day And now the ſamen ſupplica°nes accordinglie being publicklie red and ꝯſiderit efter long debait þ^r^ having manie of the memberꝭ of the cōmitte removit And we that did remain being ane full quorum and abone having choſin ane preſes and having at length ꝯſiderit the ſ^d^ꝭ ſupplica°nes We being ſenſible of the great obſtructione q^lk^ the not concurring of the miniſtree will probablie produce to the hinderance of the pñt expeditione and of the great evillꝭ q^lk^ may follow vpon thir vnhappie diviſiones betuixt the church and eſtait (if be the mercy of god and happie endevourꝭ of the pliament the ſamein diviſiones be not removed) And with all ꝯſidering how happie and comfortable it wer for ws and all vther good ſubjectꝭ if this pñt engadgment could haue alonges with it the concurrence pſones and prayerꝭ of the miniſterie And how comfortable and ſucceſſull former engadgmentꝭ wer having þ^r^ concurrance and prayerꝭ Heirſoir in all humilitie we doe ſupplicat your hono^r^ꝭ ȝet to be pleiſed to aſſay all ſuch lau^ll^ meanꝭ and endevourꝭ as if it may be poſſible thir miſtakes and diviſiones may be removit And that the miniſterie and others may be ſatiſfied in thair conſciences and juſt ſcruples And ſo may be pſwadit to joyne with and countenance this pñt expeditione q^lk^ ar the earneſt and humble deſyres of

Had: 5 Junii 1648.

Ȝour hono^r^ꝭ moſt humble and obedient ſ^r^vantꝭ

S J Johnstone of Elphingstone
Ro. Hepburne
Jo: Hepburne
J Hepburne
Wauchtoun
A Hamilton
James Hepburne of barfurd
Wm Whyte

J Hepburne I. P. C.
Patrik Inglis
J Cokburne of Ormeſton
Alex^r^ Levingston of Saltcottꝭ
F Hepburne of Binſtoun

7 Junij 1648

Red in audience of plia^t^ and receaved as a ſupplicatioun from the ſubſcryverꝭ as privat gentlemen bot not as a ꝯmitte In reſpect of ane lr̃e writtin frome the ꝯmitte of the ſchyre to the contraire And remittis the ſamen ſupplicatione to the ꝯmitte appoyntit for the ſupplicationꝭ of the lyk natour]

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[FOR Our werie hono^ll^ The Noblemen of The Cōmitti of eiſt Lowthiane And commiſſioneris of þe ſ^r^efdome Therof Thes

Our werie hono^ll^.

BEING Met this day for the furder diſpatche of the Leavie in this ſchyre: and efter chuiſeing ſ^r^ Jo^n^ ſinclair of ſteanſoun preſident / and debaiteing buſſines þ^r^in: finding a letter frome ȝ^r^ handis To continow the meiting (werie vnfrequent) till fryday nixt That ȝe micht be preſent: We Pairted: But that we heare efter pairteing: ſum of theſ q^s^ wer conveined had offered To joyne in a ſupplicatioun w^t^ the Miniſters: Sua Manie of ws as got Notice herof: did Imploy James hay of Linplum Our Leavtennent colonell To appeare and diſaſſent To ther concluſiounes (q^lk^ we find he did:) as Being vnlawfull efter our pairteing And contrair to our judgment To frame anie petitioun avers to ane act of parliament q^lk^ we acknowledge ſo juſt And that

thes mey be humblie Impairted To the parliament (as occaſioun ſall requyre) It is the humble deſ^r of

Hadinton 5 Juin 1648 ℨ^r reall and humble ſrvito^rꝭ

Johne Cokburne proveſt off Hadingtoun
Johnne makcalle baillie
A Durhame
J Hay of Linplum
M^r A Sydſerff of Rouchlau
George Wod
Patrick quhytlaw of þ^t ilk
Mr Wm Hop
G Dixon In hedderweik
George home of gamelſhelles
Tho: Turnebull of ſkedſbus
Alex hay of Baro
Patrik Hepburne of Monkrig

Johne ſinclair preciſ
G Home off ffurd
J Hepburne of Alderſtone
J Broune of Coilſtoune
P Hepburne of Nunraw
Wm Cairnis of pilm^r

7 Junii 1648

Red in audience of plia^t and ordaines thankes to be returned to the ſubſcryverꝭ of this lr̃e qlkꝭ accordinglie was done to Clarkington in their name

LOUDOUN Can^tr^rius I. P. D. P.]

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95 ACT anent the Colledge of Juſtice, and their Colonell.

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96 REFERENCE Laird of Kilrawik.

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97 ACT in favours of the [Creditors] of Margaret and Jean Baillies.

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98 REFERENCE Sir Lawchlane Macclean of Tawach.

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VIII JUNII.

ACT and Ordinance concerning the Garriſons within the Kingdom, Proviſion of the Forces thereof, and adding two Moneths Maintenance to the former five.

99 THE Eſtates of Parliament having tane to their ſerious conſideration the preſent condition of affairs, With the report of the Committee of 33. Concerning the Garriſons within the Kingdom, and entertainment of the Forces that are already on Foot or ſhall be levied. 1. They Ordain, the Laird of Lawers Regiment, whilk is now lying at Inuernes, forthwith to march thither, where they will receive farder Orders: And the Parliament doth hereby entruſt, the Earl of Murray with the Government of that Town of Inuernes as was formerly ordered by the Committee of Eſtates; And in regard of the ſums of money reſting by the publick to Colonell Home Governour of Inuernes: The Eſtates recommends to the Earl of Murray to continue him in the charge of that Town under his Lordſhip. As alſo the Parliament do hereby ſeriouſly recommend to the Committee of Eſtates, to cauſe payment be made to Lawers Regiment of the fourty thouſand Merks due to them by a former Act, and that a Letter be written to the Earl of Mortoune for that effect.

2. ITEM, The Eſtates of Parliament Ordains, that the company of Souldiers with the Officers now on them, and a Garriſon within the Blair of Atholl be removed and joyned in a Company to Lodowick Leſlies Regiment. And in regard of the Earl of Athoils intereſt in the Houſe, The Parliament do hereby entruſt the Earl of Tullibardine and Laird of Inchmertene with the keeping of the Blair of Atholl, and with the houſe of Garth for the behoove of the Earl of Atholl, they giving ſecurity at the ſight of the Committee of Eſtates for the ſafe keeping thereof. And the Eſtates allows to them twenty men, with a Lieutenant and Serjeant on the Publick charge for aſſiſting them to keep theſe Houſes. And Ordains, Campbell of Crunane who hath the preſent charge thereof, to be payed off the ſums due to him by the publick, and contained in an Act granted in his favours thereupon in this Seſsion of Parliament, together with the by-gone Arrears due to him ſince the Act; And the Eſtates do hereby give him thanks for his bygone ſervice in that charge and truſt.

3. ITEM, The Eſtates of Parliament according to the former Orders of the Committee of Eſtates Ordains the Nineſcore men in the Garriſon within Glenorquhies, Lawers, and the Laird of Weemes bounds, to be forthwith removed forth of theſe Garriſons, and commands them to go in with their Armies to Lodovick Leſlies Regiment. And recommends to the Committee of 33. during the ſitting of Parliament, and thereafter to the Committee of Eſtates to ſecure the Braes of the Sheriffdom of Perth and Angus.

4. ITEM, The Eſtates of Parliament Ordaines the Fortifications of Lochkender to be ſlighted, and the Garriſons there to be removed, and Ordaines them to go to their Regiments, as being uſeleſſe and chargeable to the Publick.

5. ITEM, The Parliament Ordaines, That the charge of the houſe of Boig of Geicht be continued with Major Generall Midletoun, and do hereby continue the ſamine with him, and allowes thirty Souldiours and a Lieutenant to be kept therein. And that Colonell David Barklay have the charge

of the houſe of Strathbogie, and allowes fifty Souldiours and a Captain to be kept therein, both upon the publick charge. And Ordaines the reſt of the Souldiours in theſe two houſes, to go to their Regiments. And the Eſtates declares this Article and Ordinance above-written, to be alwayes but prejudice to any mans Rights to the foreſaids houſes pro ut de Jure.

6. ITEM, The Eſtates of Parliament continues the Garriſon in the Caſtle of Stirling, under the command and charge of the Earl of Callander.

7. ITEM, The Eſtates of Parliament Ordaines and commands, that Mac conochie Inuerraw, and the Garriſon now in Inuerloquhie, repair forthwith fra that place, and march and joyne with the reſt of the Body of their Regiment, to the Shire of Selkirk. And the Eſtates do hereby commit the truſt of the place of Inuerloquhie to the Laird of Macintoſche. And declares the ſame ſhall no wayes be prejudiciall to any other mans right pro ut de Jure.

8. ITEM, In regard of the great numbers of Horſe and Foot already levied, and of the burden of their intertainment and levie whilk the Kingdome hes hithertills been ſubject to, And that it will be altogether impoſsible to the Countrey to intertaine them and the reſt of the Army that is now in levying, and on their march through the Kingdome, without certain ruine to the Countrey: [The] Eſtates of Parliament gives hereby orders for drawing the Army together towards the Borders, and ſuch other places in the Kingdom as will not obey the orders of Parliament anent the preſent Levie, that then the Parliament, or in caſe of their not ſitting, The Committee of Eſtates may give ſuch orders for their marching as they ſhall think fit.

9. AND becauſe when the Armie ſhall be drawn together, it will be impoſsible to keep them, unleſſe Meal be provided for the Souldiours: And ſince Meal cannot be had without preſent money, which the Commiſſarie neither hes, nor can get for the preſent, The maintenance being tane up by quarterings, and the Exciſe not yet come in, The Eſtates of Parliament adds to the former five moneths maintenance already granted in this Seſſion of Parliament to be payed by the Shires and Burghs of this Kingdome, Two moneths maintenance farder, viz. the moneths of Auguſt and September next, 1648. yeares inſtant: Whilks Two moneths maintenance, The Eſtates Ordaines to be payed by the Shires and Burghs, without deduction of quarterings: And that no precepts be drawn upon the General Commiſſar for theſe Two moneths maintenance, nor no part thereof, but that he imploy the ſamine for providing Meal to the Army, and that he charge himſelf therewith, and diſcharge himſelf thereof only for that cauſe. And Ordains the Commiſsioners of each Shire, and Noblemen within the ſame, to undertake for the preſent advance thereof to the Generall Commiſſarie, and to have their relief and repayment thereof fra him out of the ſaids Two moneths maintenance aforeſaid.

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ACT anent the Shire of Roxburgh. 100

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ACT of approbation Lieutenant Generall David Leſlie. 101

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ADDITION to the Committee of War of Eaſtlowthean 102

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COMMISSION for burnt and waſted Lands in Inuernesſhire. 103

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ACT in favours of the Creditors of the Laird of Weſtnisbit. 104

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IX JUNII.

ACT and Warrand for raiſing of Troops.

IT being moved by the Duke of Hammiltoun Lord Generall, That he might have warrant to levie ſome Troops of Horſe upon his own charges: As alſo that warrant may be given by the Parliament, to any other Noblemen and Gentlemen in the Countrey, who will levie Troops of Horſe upon their own charges, and who are of capacitie to do the ſame, and have the charge thereof, the Parliament doth agree to the foreſaid motion, and grants warrant to the effect aforeſaid: Providing that the other Noblemen and Gentlemen who will levie Troops upon their own charges, ſhall have ane warrand for that effect from the Duke of Hammiltoun Lord Generall of the Army. 105

COMMISSION to the Committee of Eſtates.

THE Eſtates of Parliament now conveened in the firſt Seſsion of this ſecond Trienniall Parliament, taking to their conſideration the great and imminent dangers threatning the true Proteſtant Religion, his Majeſties Perſon and authoritie, Monarchicall Government, the peace of this Kingdom, and union betwixt the Kingdomes, from Papiſts, Malignants and Prelats, and from the prevalencie of Sectaries and their adherents now in Armes; and the occaſion thereby given, not only to the publick enemies of Religion abroad, but even to any diſaffected perſons at home, to labour ſo far 106

as in them lyes, to ſubvert both Religion and Government; And finding a duty lying on them to uſe all meanes in purſuance of the ends of the Covenant, for defence and reformation of Religion, the honour and happineſſe of the King, and his Royall Poſteritie, and the peace and ſafety of this Kingdom, for preventing the practices of the enemies thereof, for preſerving the peace, and keeping his Majeſties [good] ſubjects in a dutifull obedience to the Lawes and publick Judicatories, and in a Chriſtian unitie amongſt themſelves, Have given order, that this Kingdom be put in a poſture of War. AND now the Eſtates being upon good grounds to diſſolve this Seſſion of Parliament, and conſidering how neceſſary it is, that for the ordering and governing of this Kingdom, and of the whole forces and affairs thereof, relating either to Peace or War, That a grave Committee be [electit and] choſen and authorized by this preſent Parliament, They do therefore nominate, elect, and make choiſe of the Marques of Argyle, Earl of Crawfurd, Earl of Erroll, Earl of Marſhell, Earl of Rothes, Earl of Mortoun, Earl of Glencairne, Earl of Eglintoun, Earl of Caſsills, Earl of Murray, Earl of Wintoun, Earl of Home, Earl of Dumfermling, Earl of Tullibardine, Earl of Roxburgh, Earl of Balcleugh, Earl of Hadingtoun, Earl of Lauderdail, Earl of Lowthean, Earl of Drumfreis, Earl of Southesk, Earl of Traquair, Earl of Dalhouſie, Earl of Findlator, Earl of Lanerk, Earl of Tweddell, [Lord] Elhoe, Lord Sinclair, Lord Balmerino, Lord Cardroſs, Lord Balcarras, Lord Bargeny, Lord Halkertoun, Lord Balheaven, Lord Abererombie, and Lord Cochran for the Nobility: The Lairds of Collingtoun, Arnieſtoun, Scottiſcraig, Ardroſs, Manner, Binning, Lea, Lamingtoun, Almagil, Polmais, Carden, Humbie, Clerkingtoun, Heirdrig, Tullibodie, Innes, Preſtoungrange, Dawick, Morphie, Pittarro, Inchmertin, Balthayok, Murkill, Garthland, Duffus, Phillorth, Vdny, Plenderghaiſt, Porterfield, Inuerpeffer, Monorgund, Birkinboig, Troupe, Wareſtoun, and Sandſyde, for the Barons. Archbald Sydſerf, David Douglas, John Jowſſy, Edward Edgar, Robert Mackean, John Mylne, Robert Arnote, Sir Alexander Wedderburn, Patrick Leſlie, M. John Cowane, George Bell, James Robertſon, Niniane Hamiltoun, Hew Kennedy, Richard Threipland, Mark Kinglaſsie, James Pedie, John Forbes, George Gardine, M. Robert Cuninghame, George Steil, William Stevenſon, James Lawder, Andro Sempill, Alexander Crawfurd, John Ochterlony, M. John Hay, Andro Daw, James Maccullo, Gilbert Mar, Alexander Strang, John Ros, David Spence, John Henderſon, Alexander Wilkiſon, and George Lawtie for the Burrows. The following ſupernumerarie in this Commiſſion, viz. The Duke of Hamiltoun, the Lord Chancellour, the Earl of Levin, Earl of Callander, Lord Lieutenant Generall, John Midletoun Lieutenant Generall to Horſe, William Baillie of Lethem Lieutenant Generall to Foot, the Generall of Artilzearie, Sir Alexander Gibſon of Durie Clerk Regiſter, Sir James Carmichael of that Ilk Theſaurer Depute, Sir John Hamiltoun of Orbeſtoun Juſtice Clerk, Sir John Weymes of Bogie Generall Commiſſar, Archbald Tod Proveſt of Edinburgh, and Sir Harie Gib. With power to them or quorum thereof, to meet at ſuch times and places as they ſhall think fit, and there to take ſuch courſes and reſolutions, and give ſuch Orders as they ſhall finde moſt neceſſary for defence and preſervation of the true Proteſtant Reformed Religion as it is now eſtabliſhed in this Kingdom, the Nationall Covenant, and explanation thereof made by the General Aſſembly and prefixed to the ratification thereof, and Solemn League and Covenant, his Majeſties perſon and authority, the good and peace of this Kingdom, the union betwixt the Kingdoms, and for promoving all the ends of the Covenant; and in this time of ſo apparent trouble, for ordering and governing the whole body of this Kingdom and forces thereof.

AND for theſe ends they are hereby warranted to authorize Commiſſioners, to Treat and conclude with the Kings Majeſty and with the two Houſes of the Parliament of England, as alſo to Treat and negotiate with any Forraign Princes, or States for the Honour and Happineſſe of the Kings Majeſty, and of his Royall Poſterity and good of his Dominions, and to uſe all other effectuall means for removing the diſtractions and differences betwixt his Majeſty and his People. And in caſe they ſhall think fit for the ends aforeſaid, to make uſe of any more forces, With power to them to give Orders to the ſeveral Shires and Burghs of this Kingdom, for raiſing of ſuch numbers of Horſe and Foot out of the ſeverall bounds and juriſdictions as they ſhall conceive neceſſary, and for providing them Armes, Ammunition, Victual and other furniture; to appoint places of their Rendezvous, and to give order for their quartering and entertainment; and for that end to prorogate the maintenance and Exciſe, and to appoint ſuch generall Officers over them, as they ſhall think fit, and are not already named by the Parliament, reſerving to the Shires and Burghs, the nomination of Officers, whereof they have been formerly in poſſeſſion by order of Parliament. With power alſo to them to nominate generall Officers and others, over ſuch auxiliarie Forces as ſhall come from Ireland to the aſsiſtance of this Kingdom in this cauſe: And to nominate and give Commiſsion for that effect: and to nominate and provide for their ſeverall payes and entertainment, and to disband the Armies and all Forces as they ſhall think fitting, and to ordain the foreſaid Maintenance and Exciſe, as the ſamine ſhall be prorogate by them, as aforeſaid, to bee imployed for the uſe of the Forces raiſed or to bee raiſed allanerly: As likewayes with power to them to Treat and determine with

the Parliament of England, anent the payment of the moneyes due by that Kingdom to the Scots Army in Ireland: And generally with power to them to Order, diſpoſe and imploy all the Forces of this Kingdom, levied or to be levied; As alſo the Scots Army in Ireland, by ſea or by land, within or without the Kingdom, as they ſhall judge fitteſt for the ends afore-mentioned, and for obtaining of juſt ſatisfaction to our demands lately made to the honourable Houſes of the Parliament of England.

AND for the better entertainment of thir Forces, that they be aſſiſting to the Commiſſarie Generall and his deputes, in the bringing in to him the monethly maintenance, Excife, and all other publick dues. Likeas the Parliament doth hereby intruſt the Committee with the ſole and only power of the diſpoſing and diſtributing of all publick moneyes that ſhall come in or ſhall be due to the Publick any maner of way: And that the Maintenance and Excife be imployed in the firſt place for intertainment of the Armies and Garriſons, and the reſt for ſuch other neceſſaries as concernes the preſent Service. That each precept for giving out of money, be ſubſcrived at leaſt by a Quorum of Committee, being conveened in Committee, and the perſons ſubſcrivers to be anſwerable. That all precepts drawne on the Monethly maintenance and Excife be for the Armies entertainment, wherein if they failzie, that they be lyable in repayment of all ſuch ſummes for which they ſhall draw precepts on the Maintenance and Excife, till the Armies be firſt payed. And that no precepts be drawne, but when money is in the Caſh. And that in payment of money to the Army, the famine be diſtributed equally. And that all Regiments of foot and horſe Dragooners and Garriſons, be put and kept in [ane] equall futing, either in money, provant, or proviſion, according to their ſtrength. And for the better bringing in of money for the uſes foreſaids, With power to them to borrow ſuch ſummes of money as they can procure upon their own private ſecuritie, or upon the publick ſecuritie from any perſons that ſhall be willing to lend the famine. And the Eſtates declares all ſummes ſo to be borrowed by them upon the publick faith which they are hereby warranted to ingage, ſhall be a publick debt, due and payable by the Eſtates of the Kingdom. As alſo that they will ſee them repaid out of the readieſt publick moneyes of all ſummes of money to be borrowed by them on their private ſecurity for the ends aforeſaid. And that this Committee call to an accompt all ſuch perſons as have been, or ſhall be intruſted with any publick dues (and whoſe compts hes not been allowed in Parliament) Or other publick intromiſſions whatſoever. And either by themſelves, or ſuch as they ſhall appoint, To examine, comptroll and allow their accompts, as they ſhall finde meet, and to decerne and determine accordingly. And to call for and bring in all ſuch ſummes of money as have been formerly decerned againſt any perſons and not yet ſatisfied, exonered or payed; and to diſcuſſe all particular aſſignements or fynes and forfaultours, and to bring in the money due thereby. With power alſo to them, or ſuch as they ſhall appoint, to treat, conſult and determine, without prejudice of former aſſignments anent the payment of the remainder of the brotherly aſſiſtance, or any other moneyes due by the Kingdom of England to this Kingdom, and for ſetling, removing and preventing all differences betwixt the Kingdoms. And alſo with power to this Committee, to cauſe apprehend and call before them, or ſuch as they ſhall appoint, all ſuch perſons of what degree, qualitie or condition ſoever as ſhall invade this Kingdom, or riſe in Arms againſt the ſame, or againſt the Kings Majeſty and authoritie of Parliament, or ſhall riſe in Arms to oppoſe the proceedings of this Parliament, or of the Committee of Eſtates now nominate in this Commiſsion, or who ſhall concurre with, aſsiſt, keep intelligence or correſpondence with any of the ſaids invaders or riſers in Arms, and to purſue them for the ſame, pronounce ſentence, and do juſtice upon them by forfaulture or otherwayes, conform to their ſeverall degrees of guiltineſſe, and that als fully in all reſpects as the Parliament might do if they were ſitting. And als with power to them to bring off ſuch as are or have been in the Rebellion (excepting the perſons excepted from pardon, viz. James Grahame ſometime Earl of Montroſe, Alaſter Macdonald, James Gordoun ſometime Lord Aboyn, George Gordoun ſometime Marqueſſe of Huntlie, Lodovick Lindſay ſometime Earl of Crawfurd, and Sir John Hurry) as they ſhall think moſt conducing for the good of the Service and peace of the Kingdom, Providing the ſame be conform to the limitations contained in the former Acts of Parliament. And farder with power to them to give orders to the Committees of Warre of the Shires (whom they have power hereby to alter and change as they ſhall think fit) and to all Colonells, Sheriffs, Stewarts, Baillies, and other Magiſtrates or ſubjects to Burgh and Land, in every thing concerning the preſent Service. And if any Magiſtrate, Officer, or any other perſon whatſomever having any publick charge or office, ſhall not give obedience to the reſolutions of this Parliament, That they call them before them to anſwer thereupon. And if they continue diſobedient, that they declare their places void and vacand, and nominate others to the ſaids places and offices. Beſides that they call before them all Papiſts, Malignants, and diſaffected perſons to the preſent Service, And all ſuch as ſhall not themſelves obey or perſwade others not to give obedience to the reſolutions of the Parliament and Committee, and take courſe for ſecuring of their perſons and intrometting with their Eſtates as they ſhal think fit, and to take courſe to ſee their orders

thereanent punctually obeyed, and the diſobeyers puniſhed.

AND generally with power to the ſaid Committee, to do all and ſundry other things, that ſhall be found neceſſarie for the good of Religion, the honour and happineſſe of the King and his poſterity, the union betwixt the Kingdoms, and peace of this Kingdom, for ordering, providing for, and diſpoſing the forces belonging to this Kingdom, for procuring obedience to the reſolutions of Parliament or Committee of Eſtates; for puniſhing of Delinquents and ſuch as ſhall not give obedience; for ordering & managing the publick moneys and publick debts, and for the governing of the whole body of the Kingdom as fully in all reſpects as the Parliament might do if they were ſitting in pleno conceſſu.

AND ſince it is thought neceſſary, that an Armie and Forces be raiſed and employed for the ends aforeſaid, With power to this Committee, to divide themſelves in two ſeveral Committees, the ane thereof is to ſtay at Edinburgh or any other place they ſhall think fit within the Kingdom; And is hereby authoriſed with the whole affairs aforeſaids within the Countrey, and of which Committee the quorum is to be nine, [there] being two of ilk eſtate. And the other Committee is to remain conſtantly with the Army, and ſhall give their beſt adviſe and counſell in what may conduce to the good and ſafety of the Army, and are hereby authoriſed with the Government of the affairs of the Army, and of this Committee the quorum is to be ſeven there being one of every Eſtate: Which two Committees are to keep correſpondence and intelligence one with another, anent their proceedings and condition of affairs; and to give their orders and concluſions in manner abovedividit: Provided always, That none of the ſaids Committees ſo divided enter into a Treaty anent the poynts and articles in queſtion without conſent of a quorum of both Committees: and in caſe any of the Commiſſioners places ſhall vaike by death, ſickneſſe, or abſence, they being required to attend otherways, they are warranted to make choice of others of that ſame degree to ſupply the places ſo vakand: And if any matter of importance do occur, that requires a meeting or the reſolution of the Eſtates, With power to the Committee appointed to ſtay within the Kingdom, to call a meeting of the Eſtates of Parliament or convention of Eſtates; the whole perſons upon the Committee being within the Kingdom, being warned upon fifteen days, and the Major part being preſent. And it is hereby declared, that the whole perſons named in this Commiſſion ſhall notwithſtanding of the diviſion aforeſaid have place and voice in either of the Committees as they ſhall happen to be preſent, and that the Generall Officers of the Army are priviledged to be preſent at the meetings of Committee. And it is Ordained, That the whole Commiſſioners aforeſaids ſhall at their firſt meeting in Committee accept this Commiſſion, and give their ſolemn oaths for their faithfull and diligent diſcharge of this truſt in purſuance of the preſent ingagement upon the grounds of the Declaration of the day of April laſt otherwayes not to have acceſſe nor place in the Committee. And laſt with power to them, to make choiſe of new perſons of the ſame degree and quality in their places who ſhall refuſe to give their oaths in manner foreſaid, With power likewayes to the ſaid Committee of Eſtates to joyne fix of their number to the Committee of Exciſe for [ferming] the famine Exciſe; As alſo to fill the places of theſe of the Committee of Exciſe who ſhall happen to deceaſe, and to ſupply the places of theſe, who by ſickneſſe or otherwayes ſhall be neceſſarily abſent, With others of the ſame degree and quality: And farther in caſe the ſaid Committee ſhall prorogate the Maintenance and Exciſe for the uſe aforeſaid, With power to them accordingly to grant Retention of the Annual Rents of moneys for ſick ſpace as they ſhall prorogate the foreſaid maintenance. Firme and ſtable holding and for to hold whatever the ſaids Commiſſioners or quorum foreſaid ſhall do in manner and for the ends beforementioned; And this Commiſſion to endure till the next meeting of Parliament, and ay and while the famine be ſpecially diſcharged.

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ACT of approbation Colonell Walter Scot. 107

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X JUNII.

ADDITION of Commiſſioners for Barons and Burrows to the Commiſsion for plantation of Kirks.

THE Eſtates of Parliament upon the reſpects and 108
conſiderations moving them, Hes added, and do hereby add to the number of Commiſsioners formerly appointed and nominate in that Commiſſion granted by the Parliament to the Commiſsioners therein ſpecified, for plantation of Kirks and valuation of Teynds, thir perſons following, viz. For the Barons, the Lairds of Lamingtoun, Arnieſtoun, Polmais, Balthayok, Preſtoungrange, and Carden. And for the Burrows, George Porterfield Burgeſſe of Glaſgow, James Lentroun Burgeſſe of S. Andrews, and James Pedie Burgeſſe of Montroſe. And Ordains the forenamed perſons hereby added, to have that ſame power, priviledge, place and voyce in the ſaid Commiſsion, as any other of the Barons or Burrows, formerly nominate and appointed to be upon the ſame Commiſsion, had or hes, and as if thir perſons now added had been inſert thereintill at the beginning. Whereanent the Eſtates of Parliament declares thir preſents ſhall be ane ſufficient warrant.

ACT ordaining all Miniſters to exhort their people to obedience to the Lawes of the Kingdom: And aſſuring theſe Miniſters of their ſtipends during their lifetimes.

109 THE Eſtates of Parliament now conveened in this firſt Seſsion of the ſecond trienniall Parliament, being neceſsitate to undertake ſome neceſſary duties for the good of Religion, the honour and happines of our King, and peace of this Kingdom; And having for the ſatisfaction of all his Majeſties good ſubjects, emitted a Declaration containing the grounds of their preſent reſolutions; And expecting an humble obedience and heartie concurrence of all his Majeſties good ſubjects, eſpecially of the Miniſtery, to thir their pious and loyall undertakings; yet they finde that contrary to diverſe ſtanding Lawes and Acts of Parliament, ſome of them are ſo far from giving obedience thereunto, That they both in their Sermons inveigh againſt it, and in their private diſcourſes and otherwayes labour ſo far as is in their power to ſtir up the people to an open oppoſition againſt the authoritie and proceedings of Parliament: Neither do they meet with this obſtruction by particular Miniſters; but alſo even in theſe who are now intruſted in the Commiſsion of the Generall Aſſembly, as will appear by their Act of the fifth of June inſtant, whereby they do recommend to the Presbyteries, That if any Miniſter be found, who do not declare themſelves againſt the preſent ingagement, nor joyne with their brethren in the common reſolutions againſt it, nor give publick information to the people of the unlawfulneſſe thereof, they may be referred to the next Generall Aſſembly; And if any of them have already declared themſelves for it, that they be preſently cenſured. Whereby the Eſtates findes, that to the great ſcandal of Reformed Religion and Presbyteriall Government, they do not onely lay a heavie yoke on the conſciences of their brethren, who in conſcience of their dutie, finde themſelves oblieged to give obedience to the Lawes of the Kingdom: but alſo uſurp a power upon themſelves to be Judges of the Lawes and of the proceedings of Parliament, who by the fundamentall Lawes of the Kingdom, have in them the onely legiſlative power, namely in publick ingagements concerning peace or war. Therefore the Eſtates of Parliament have thought fit to require, and do hereby deſire all the Miniſters within the Kingdome, by their Preaching [or] otherwiſe, to exhort and ſtir up their People to a cheerfull obedience to the Lawes of the Kingdome, aſſuring them hereby, That the Parliament will notwithſtanding of any proceedings againſt them for the ſame, by their authoritie ſecure and protect; Likeas the Parliament doth hereby ſecure to them during their lifetimes, their ſtipends, manſes, gleibs and houſes. And requires and ordains all Heretors and others lyable to the payment of their ſtipends, to continue to pay the ſame, as formerly, to all ſuch as ſhall give obedience hereunto. And ordains Letters to be direct hereupon charging the Heretors for the effect forefaid.

ACT ordaining the haill Members of Parliament, Noblemen, Barons, Burgeſſes, and all other Subjects and Inhabitants of the Kingdom, To ſubſcrive this Act for defence of the lawfulnes of this Parliament, and obedience to the Acts thereof.

THE Eſtates of Parliament, conſidering how neceſ- 110
ſary it is to eſtabliſh their union in the preſervation and maintenance of Religion, Lawes and Liberties of this Kingdom, and of his Majeſties authority, and to prevent all factions, contentions and diviſions which may ariſe in prejudice thereof from malicious ſuggeſtions and miſinformations of their adverſaries, Do hereby teſtify and declare their reſolution and obligation to acknowledge this preſent Parliament, To have been and to be a free and lawfull Parliament. Likeas they binde and obliege themſelves upon their honors & credit, And as they deſire to be, and to be holden true lovers of their Countrey, and of the Religion, Lawes and Liberties thereof, Efauldly and faithfully to the uttermoſt of their power, to joyn and concur with their perſons and eſtates every ane according to their ſeverall ſtations and callings in the maintenance of the freedome and lawfulnes of this foreſaid Parliament, and in the advancement, furtherance and aſsiſtanee of the execution, obedience and obſervation of the Acts and Conſtitutions thereof, as the moſt fit and neceſſary remedies of the bygane and preſent evils and diſtractions of this Kirk and Kingdom, And for the preſervation of Religion, Lawes and Liberties thereof, and of his Majeſties authority. And have ordained and ordains this preſent Act to be ſubſcrived by all the Members of Parliament preſent and abſent, And by all Noblemen, Barons, Burgeſſes, and all other ſubjects and inhabitants of the Kingdom, in their Shires and Burrows, as they ſhall be directed by the Commiſſioners of Parliament left at Edinburgh, and to be reported to the Clerk betwixt and the firſt day of Auguſt next to come, With certification to ſuch as refuſe or poſtpone and delay to ſubſcrive the ſame, [that they] ſhall be holden as enemies and oppoſers to the Common Cauſe, conſiſting in the maintenance of the true [reformed] Religion, and of the Lawes and Liberties of this Kingdom, and his Majeſties authoritie.

ACT in favours of theſe who gets their Ward-holding changed by the King, that their other ſuperiours get not marriage.

THE Eſtates of Parliament having taken to con- 111
ſideration, That ſome difficultie hes occurred in the

profecution of his Majefties Royall intention of changeing of Ward-holdings in few for the well of his Subjects, conforme to the two Commiffions granted by his Majefty thereanent, both ratified in Parliament in January 1647. And that the ſaid difficultie hes riſen upon that ground, that diverſe of his Majefties Subjects holding Lands of his Majefty, or of the Prince, waird or few cum maritagio, holds alſo other Lands of other ſuperiours waird, who whilſt their Vaſſals held Lands, waird or few cum maritagio of his Majefty, or of the Prince, could pretend no right to the maritage of the Vaſſals heirs when the ſamine ſhal [fall out]: But now the ward holding of his Majefty or of the Prince, being changed in few, & compoſition & an yearly few dutie being granted to his Majefty or the Prince, for the ſaid Waird and Marriage, the other ſuperiours of the ſaid Vaſſals of whom he holds waird, may contend for the benefit of the caſualitie of the [maritage] of his Vaſſals heir, when the ſamine fals out, he being the Vaſſals eldeſt ſuperiour, of whom he holds waird, whilk was grievous to the vaſſals, who by this new courſe of changeing of his holding, hes componed both for ward & maritage. Therefore it is ſtatute and ordained, That all Vaſſals holding waird of his Majefty, or of the Prince, or holding few cum maritagio, who ſhall here compone and agree with the Commiſsioners appointed by his Majefty for that effect for changeing of their holdings from waird to few, or for renunciation of the maritage contained in their few infeftments, their heirs and ſucceſſors in the ſaids Lands, ſhall be free of the maritage that can be acclaimed by their other ſuperiours of Lands holden by them of their ſaids other ſuperiours waird, and that their ſaids other ſuperiours ſhall have no right to the maritage of their heirs, when the ſamine falls out, no more than they would have had, if the Lands holden waird of his Majefty, or of the Prince, had continued ſtil waird, but that the ſaids Vaſſals, whoſe holding ſhall be changed, or who ſhall compone for their maritage, as ſaid is, their heires and ſucceſſours ſhall bruik their Lands in all time thereafter, free of any ſuch burden of maritage. Providing alwayes, likeas the Eſtates of Parliament provides and declares, if the foreſaids Vaſſals whoſe holdings ſhall be changed, as ſaid is, and who ſhall compone for the renunciation of the maritage, contained in their few infeftments, or their heires or ſucceſſours in the ſaids Lands, which once held ward or few cum maritagio, ſhall annallie and diſpone the ſaids Lands to any other perſons, That then and in that caſe the annalier or his heires, ſhall no longer have the benefit of this preſent [Act]. But that notwithſtanding of this preſent Act, if they hold Lands waird of any other ſuperiour, That their ſuperiour ſhall bruik all the benefit of his ſuperioritie, as if this preſent Act had never been made. And ſiclike the Eſtates of Parliament for the great furtherance of his Majefties Lieges in the way of the changeing of the tennours of the ſaid waird-holdings, or renouncing of the maritage contenit in their ſaids few infeftments, Ordains ſignators to be paſt to the Lieges by the Exchequer, on the recommendation of the ſaids Commiſsioners of the waird Lands in their favours upon the Lieges their reſignation, for new infeftments to be granted to them, bearing the new manner of few holding, or bearing the renunciation of the ſaid maritage, conteined in their old few infeftments, as ſhall be ordained by the ſaids Commiſsioners of the waird Lands.

ACT and Declaration of Parliament, in anſwer to the ſupplications from Synods and Presbyteries.

THE Eſtates of Parliament, finding by the Petitions preſented to them by ſeverall Synods and Presbyteries, that their preſent proceedings for the good of Religion his Majefties reſcue and ſafety, and the true peace of theſe Kingdoms, is much miſconſtrued and miſunderſtood; They have thought fit to declare for the ſatisfaction of all ſuch as are ſatisfiable; That in their undertakings at this time, they ſhall prefer no earthly conſideration to their duties for preſerving Religion in Scotland in Doctrine, Worſhip, Diſcipline and Government as it is already eſtabliſhed and for endeavouring to ſettle it in England and Ireland according to the Covenant: And as we cannot with ſafety to our conſciences and Honour, live, and ſuffer our King to continue in his baſe impriſonment, ſo our undertaking for him ſhall ever be ſubordinate to Religion, and to our duties to God: And in purſuance of theſe ends, as we ſhall employ none in our Army but ſuch as have ſigned the Solemn League and Covenant, and ſuch againſt whom there is no juſt cauſe of exception, ſo we ſhall aſſociate with none but ſuch as will engage themſelves to be faithfull to the ends of the Covenant: And our undertaking ſhall not be in any wayes againſt the Kingdom of England or to break the union between the two Nations, but only for Reformation and defence of Religion, the Honour and Happineſs of the King and his Royall poſterity, and the peace and ſafety of theſe Kingdoms, againſt ſuch who have deſtroyed Religion, and impriſoned our King; and certainly when they have brought their intended confuſion in England to paſſe both in Church and State, we cannot hope for ſafety here, whatſoever their profeſſion may now be. Therefore we are reſolved to proceed in this Levie in a vigorous doing of our duties: And we do expect from you and all his Majefties good ſubjects a ready obedience to the Command of the Parliament and Committee of Eſtates in purſuance thereof. And the Eſtates of Parliament remits to the Committee of Eſtates to give forth a more full Declaration of the great endeavours the Parliament has uſed and ſtill re- 112

ſolves ſhall be uſed, to ſatisfie the deſires of the Commiſſioners of the General Aſſembly, and to anſwer their Papers given in this day to the Parliament; And Ordains this Act to be Printed and publiſhed, and ſent by the Committee of Eſtates to the ſeverall Presbyteries.

ACT and Declaration of Parliament in anſwer to the Petitions preſented to them from ſome Committees of War of Shires.

113 THE Eſtates of Parliament now conveened in this firſt Seſſion of the ſecond Triennial Parliament, having tane into conſideration the ſeveral Petitions preſented to them from the Committees of War of ſome Shires for delaying the preſent Levies, untill ſatisfaction be given to the deſires of the Miniſters, do return this Anſwer.

THAT as to the ſaids deſires of the Miniſters (tho many of them are abſolutely civill) yet they have beſides their former anſwers, of new, returned to them that which ought to ſatisfie.

WE have again ſeriouſly weighed our dangers as to Religion, his Majeſties Sacred Perſon and Poſterity, and the ſafety of this Kingdom, and finding them daily growing, we ſhould betray the truſt laid on us, if we ſhould not make uſe of the power God hes put in our hands, and go actively about our duties in relation thereto; Therefore whoſoever obſtructs this preſent Levie, we cannot but look upon them as Malignants, and will proceed againſt them accordingly; and we do therefore require you as you will be anſwerable at your higheſt perils to go actively about the truſts laid upon you, for putting out the Foot and horſe within your Shire, according to former Orders of Parliament, and as you ſhall be required by the Committee of Eſtates, and we do aſſure you (whatſoever you hear to the contrary) that we have nothing before our eyes in this preſent undertaking, but the preſervation and good of Religion, and the endeavouring the ſetling of it in England and Ireland according to the Covenant in the firſt place, and before all worldly reſpects, his Majeſties reſcue from his baſe impriſonment, his reeſtabliſhment upon his throne in all his juſt powers, the ſafety of this Kingdom from dangers on all hands, and the preſervation of the union and brotherly correſpondence betwixt the Kingdoms, under the Government of his Majeſty and of his Royall poſterity according to the Covenant.

ACT anent Deficients and Fugitives, who are deſigned to go out in the preſent Levy, and runs away from their Pariſhes, Burghs and Shires where they are deſigned.

114 THE Eſtates of Parliament, Taking to their ſerious conſideration the hinderance that is made to the preſent Levie and expedition by the running away of the Heritors Vaſſals, Tenents and their ſervants reſpectivè forth of the ſeverall Pariſhes, Burghs and Shires of the Kingdom where they have their being or remaining; and by the ſheltering and reſetting of them in other parts Burghs and Shires thereof: They for remedy hereof, renews, revives and ratifies the Acts of Parliament formerly made againſt Run-awayes and their Reſetters and againſt theſe deficient in putting out of their men, horſe and foot for the publick ſervice, viz. The ſecond Act made in the firſt Seſſion of the firſt Trienniall Parliament of the 14. Junii 1644. Anent theſe who are or ſhall be found fugitives and Run-awayes from their Companies and Colours, with the Act of 25. of Junii 1644. made in that ſame Seſſion of Parliament for putting out of Horſe and Foot, and anent theſe deficient thereintill: Item, the third Act made in the ſecond Seſſion of the firſt Trienniall Parliament of the 24. January 1645. Anent deficients and Run-awayes with the ſecond Act made in the fifth Seſsion of the ſaid firſt Trienniall Parliament of the 18. of December 1645. againſt the Re-ſetters of Run-awayes; Item, the 19. Act made in the ſixt Seſſion of the firſt Trienniall Parliament of the 25. February 1647. againſt Run-awayes and their Re-ſetters, with the 26. Act of the ſame Seſſion of Parliament of the 15. of March 1647. alſo made againſt Run-awayes and their Reſetters: And Ordains the ſamen Acts reſpectivè abovewritten with the ſeverall certifications and penalties therein contained to ſtand in full force, and to be put to execution conform to the tenours thereof againſt theſe deficient, and who are Run-awayes and Fugitives from their Pariſhes, Burghs and Shires, to the hinderance of this preſent Levy and expedition. And declares the ſeverall penalties and certifications reſpectivè, to be by and attour the outputting of the horſe and men conform to the Acts made for that effect, With this farther addition, that all theſe Heritors, Vaſſals, Rentallers, Takſmen and Tennents, who ſhall flie and run out of the ſeverall Pariſhes, Burghs and Shires where they have their being, reſidence and remaining, ſhall by their flying and running out thereof, to any other Pariſhes, Burghs or Shires of the Kingdom in prejudice and hinderance of this preſent Levy in theſe Pariſhes, Burghs and Shires reſpectivè where they have their remaining as ſaid is, amit tyne and loſe ipſo facto their Fewes, Taks, Rentalls and other Rights they have made and pertaining to them or to their Predeceſſors to whom they may ſucceed of any Lands, Tenements, houſe and others in the ſaids Pariſhes, Burghs and Shires out of the whilk they flie and run away in prejudice aforeſaid, by and attour the incurring and payment reſpectivè of the certifications and penalties contained in the foreſaids former Acts now hereby renewed and ratified: And with this addition alſo, That if any who are or ſhall be deſigned to go out in this expedition ſhall flie from the Shires or Burghs where they are deſigned and ſhall not return within twenty four hours after the Pro-

clamation hereof at the head Burgh of that Shire where they are deſigned, or within five dayes being in remoter Shires, ſhall be hanged to death. And Ordains publict proclamation to be made hereof at the Mercat Croſſes of the head Burghs of the Kingdom, and at the Kirk doors of the ſeverall Pariſhes thereof, That none pretend ignorance of the ſame.

ACT Salvo jure cujuſlibet.

115 THE Eſtates of Parliament conſidering that in this preſent Seſſion of Parliament, there were ſome particular Acts, and Acts of Ratification made in favours of particular perſons, which may be prejudiciall to the parties having intereſt and not heard, albeit the meaning of the Eſtates be at this time as it was ever in all preceeding Parliaments, that by no particular Acts, or Acts of ratification granted to any particular perſon, any other parties ſhould be hurt or prejudged of their lawfull rights and defences competent to them of the Law. For remeid whereof, it is ſtatute and ordained, That no ratification, nor other particular Act whatſoever, made in favours of any particular perſon in this preſent Seſſion of Parliament, be prejudiciall to any other parties rights or defences competent to them of the Law. But that the ſaids particular Acts and Acts of ratification made in favours of particular parties be alwayes underſtood, Salvo jure cujuſlibet.

ACT anent the continuing of the Parliament till the firſt Thurſday of March 1650.

116 THE Eſtates of Parliament now conveened in the firſt Seſſion of the ſecond trienniall Parliament, continues this preſent Parliament, and all matter belonging thereto (which are not committed or remitted reſpective to the Committee of Eſtates of Parliament, or to other Commiſſioners of Parliament, or to the Lords of Seſsion) while the firſt Thurſday of March 1650. At the whilk day, or ſooner, as the Committee of Eſtates, or Quorum thereof ſhall appoint: Ordains the haill Eſtates to be preſent, and to attend at Edinburgh, or where it ſhall happen the Committee of Eſtates to appoint the Parliament to be holden for the time. With power likewayes to the Committee of Eſtates to convein the Parliament ſooner, if they think fitting, and to appoint any other place at that time, if they finde the ſame expedient. And in the mean time the Eſtates declares this preſent Parliament current to the day foreſaid. And Ordains the haill Acts & Statutes made and concluded in this Seſſion of Parliament, To ſtand and have the force & ſtrength of Acts of Parliament, conform to the tenors thereof, ſiclike as any Acts & Statutes of any preceiding Parliaments in any time bygane. And als the Eſtates of Parliament Ordains the Lords of Seſsion to convein and ſit down in Seſsion for adminiſtration of Juſtice to the Lieges the firſt day of November next to come, and to continue in the exerciſe thereof at the ordinar time appointed for ſitting of Seſsion. And Ordeins publick Proclamation to be made hereof at the mercat Croſſe of Edinburgh by ſound of Trumpet, that none pretend ignorance hereof, either for attending Parliament at the day above-written, or the down ſitting of Seſsion.

ACT anent the Magiſtrates and Town of Glaſgow. 117

ACT anent the Clerkſhip of Exciſe. 118

ACT in favours of the Magiſtrates and Councell of the Burgh of Perth. 119

RATIFICATION Sir Lodovick Gordoun. 120

PROTESTATION Earl of Crawfurd and Lindſay there againſt.

RATIFICATION anent the disjoyning of the Kirk of Ugſtoun from Saint-Andrews. 121

RATIFICATION Maſter James and John Bairds, of their gift to be Commiſſars of Edinburgh. 122

RATIFICATION and act Sir Hary Gib. 123

RATIFICATION Earl of Roxburgh. 124

RATIFICATION Earl of Hadingtoun. 125

RATIFICATION Sir John Mackenzie. 126

RATIFICATION Mr Thomas Mackenzie. 127

RATIFICATION Earl of Carnwath. 128

ACT erecting the Kirk of Morvingſyde. 129

RATIFICATION Earl of Lawderdail. 130

ACT Sir David Ogilvie. 131

COMMISSION John Middletoun to be Lieutenant Generall to the Horſes. 132

COMMISSION William Baillie of Lethem, to be Lieutenant Generall to the Foot. 133

REFERENCE George Kinnaird. 134

RATIFICATION Maſter Hary Maule and Captain Mayne. 135

RATIFICATION of the Acts of the Committee for the intervall of Parliament from the 11. of May, to the firſt of June 1648. 136

Apud Edinburgh,

IV DIE JANUARII, A. D. M,DC,XLIX.

IN THE SECOND SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES I. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith, And IN THE FIRST PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Edinburgh and begun the fourth of January 1649.

IV JANUARII.

ACT anent the election of the Earle of Loudoun Lord Chancellour, to be Prefident of of this Sefsion of Parliament.

1 THE Eftates of Parliament now prefently conveened in this fecond Seffion of the fecond Trienniall Parliament, by vertue of an Act of the Committee of Eftates, who had power and authority from the laft Parliament for conveening the Parliament, Taking to their confideration the 50 Act of the Kings Majefties fecond Parliament holden at Edinburgh, in anno 1641. Intituled, Act anent the election of the Prefident of Parliament, together with the 42. Act of the laft Sefsion of the firft Triennial Parliament of the date at Edinburgh, the 27 day of March, 1647 years, Intituled, Act anent the election of a Prefident of Parliament for ilk fefsion of Parliament, explaining the former Act concerning the time of the endurance of the Prefident of Parliament, And according hereunto John Earle of Loudoun high Chancellour of Scotland, Prefident of the laft Parliament, Having miniftred the oath of Parliament To the whole members of Parliament prefent, And repreſented to them the two Acts of Parliament abovementioned, which were read in audience of Parliament, The faids Eftates of Parliament after voycing did elect and chooſe the faid John Earl of Loudoun high Chancellour of Scotland To be Prefident of this Sefsion of Parliament, And to precede thereintill as Prefident of Parliament during this Sefsion of Parliament, And while the taking of the oath of Parliament and election of another Prefident in the next Sefsion of Parliament, conform to the foreſaid 42. Act of Parliament of the 27 of March, 1647.

V JANUARII.

ACT for a Solemn Faſt and Humiliation to be keeped by all the members of this Parliament, in relation to publick ſins and breaches of Covenant, And for their renewing the League and Covenant and engagement to the duties therein contained.

THE Eſtates of Parliament, taking to their ſerious 2
conſideration the great ſins and provocations of the Land, and the great calamities and diſtreſſes wherewith they have been exerciſed, and which yet hang over their heads, And being deſirous to return unto the Lord by humbling themſelves before him, with ſincere confeſsion of their ſinnes and engagement to do no more ſo, But to reform their wayes, and be ſtedfaſt in his Covenant; And conſidering that in relation to the generall ſinnes of the Land, The Commiſsion of the Generall Aſſembly appointed a ſolemn Acknowledgement of publick ſinnes and breaches of Covenant, and a publick engagement to the duties therein contained; Therefore the ſaid Eſtates, in the ſence of their own ſinnes, and of their acceſsion to the breaches of the whole Land, Do reſolve that all the members of the preſent Parliament humble themſelves in the Parliament houſe before the Lord, in a ſolemn Acknowledgment of their ſinnes and breaches of Covenant, and engage themſelves to a more ſtrict obſervance of publick duties, eſpecially of thoſe that relate to the dangers of the time, And alſo that they renew the ſolemn League and Covenant according to the order ſet down by the Commiſsion of the Generall Aſſembly, And that this may be performed with faſting and humiliation and all other religious duties, and a day ſet apart for that purpoſe, The Earle of Caſsils, Sir Archbald Johnſtoun of Wariſtoun, and the Proveſt of Edinburgh are to aquaint the Commiſsion of the Kirk with this reſolution, and in name of the Parliament to deſire that ſome of their number may preach in the Parliament houſe, and adminiſter to them the Covenant, And do and order all other things neceſſary for ſo ſolemn and religious an action.

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RATIFICATION of the Act of the Com- 3
mittee of Eſtates anent the Exciſe and prorogation thereof.

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PROROGATION of the Committees of 4
Warre in the ſeverall Shires.

. . . . . .

ACT in favo^{r} of Jo^{n} dikſon of hartrie anent the Recordes of parliament

5 AT EDINBURGH the fyft day of Januar the ȝeir of god J^{m} vj^{c} fourtie and nyne ȝeiris THE QUHILK DAY Johne dickſone of Hairtrie In obedience of the ordinance of parliament of the fourt of this Inſtant PRODUCEIT In Parliament the Nationall covenant and oathe of parliament writtin and ſubſcryved on parchment · Togidder with thrie Regiſteris of parliament conteaneing the whole actis ordinances and recordes of parliament fra the fyftein day of Maij J^{m} vj^{c} threttie nyne ȝeiris To the tent day of Junij J^{m} vj^{c} fourtie eight ȝeiris · And thairwpon aſkit Inſtrumentis In name of the clerk of Regiſter and him ſelff for bothe thair exonera^{o}unes And thaireſter the ſaid Johne dickſone did humblie repreſent to the conſideratioun of the parliament his paynes and expenſ^{s} In the frameing dyting and bookeing of the whole actes ordinances and wtheris conteanit in the ſaidis Regiſteris and Intertenying of ſ^{r}vandis for his help In the wreatting and bookeing thairof, and that as ȝit he hade not receaved any ſatiſfactioun ather to him ſelff or his ſ^{r}vandis Albeit he hade alſo lent for the vſe of the publict at three ſeverall tymes Nyne Thouſand merkis and wes onlie repayed of Tua thouſand merkis þ^{r}of be Sr James hope · And that thairfoir the parliament wald tak ſome effectuall courſe for repayment of his lent moneyis and Intereſt þ^{r}of / and ſatiſfactioun for him and his ſ^{r}vandis paynes foirſaidꝭ as they in thair wiſdome ſould find the ſamyne to deſerve · QUHILK being hard and conſidderit be the parliament THEY heirby grant exoneratioun for the Nationall covenant Oathe of Parliament and three Regiſteris of parliament produceit as ſaid is And declairis / they will tak to thair conſideratioun the great paynes and ſ^{r}vice done be the ſaid Johne dickſone In the parliamentis ſ^{r}vice In the frameing bookeing and recording of the actis and otheris conteanit in the foirſaidis three Regiſteris / and will accordinglie recompence him · As alſo will have ane cair to fie him payit of the ſowmes lent be him to the publict and Intereſt þ^{r}of ȝit trewlie reſtand wnſatiſfeit And the parliament takes the foirſaid relatioun and deſyre maide be the ſaid Johne dickſone as feaſonablie maid be him · Quhairwpon he aſkit Inſtrumentis ·

COMMISSIOUN to the Committee for Diſpatches and Publict affaires

6 AT Ed^{r} 5 Ja^{rii} 1649 The Eſtaites of Parliament now p^{r}tlie conveened Hes nominat and appointit and be þir p^{r}tis nominates and appointes The marques of Argyle / The earle of Sutherland / The earle of Eglintoune / The earle of Caſſillis / The earle of Buccleugh The vicount of Arbuthnot and lord Balmirrinoch for þe noblemene [the Lord] Wariefſtone / Brodie / Scottiſcraige / ffrieland / Libbertoun / Cunynghameheid ⁊ nep^{r}pollok for þe Barones / Sir James Stewart / Alexander Jaffray / George Porterfeild / James Sword / Hew Kennedy / Mr Robert Barclay and Mr Robert Cunynghame ffor þe borrowis To be ane Cōmittee of Parlia^{t} To q^{m} or maiſt pt þ^{r}of There being ane of every eſtait as þe quorum The Eſtaites of Parlia^{t} heirby gives power To tak wnto þair conſidera^{o}un and to prepare (ffor þe readier diſpatch in parliament) All buſſines concernīg þe army now in Scotland effaires in Ingland or Irland q^{t}in þe kingdome of ſcotland may be concerned And q^{t} is fitteſt to be done in every particular that ſall occurre tuiching þe ſamene And to meit with ſick of þe miniſtrie as þe cōmiſſioun of þe kirk ſall appoint to be with þ^{m} And to acquent þe ſaid miniſtrie with everie particular they ſall think fitt And þe eſtaites of Parlia^{t} Ordaines þe ſaid Cōmittee or quorum þ^{r}of foir̄d To mak þ^{r} report in wreatt to þe parliament That they may þaireftir tak þe ſamene to þair farder conſidera^{o}un and doe þairanent and in every particular þ^{r}of As they ſall think moſt fitting And alſ^{o} þe ſaidis eſtaites Ordaines þe lord chancello^{r} and þe lord Generall To be ſupernumerarie In þe Comittee foirſaid

CŌMISSIOUN for Billis and Ratifica^{o}unes.

AT Edinburgh The ffyft day of Januar J^{m} vj^{c} 7
ffourtie nyn ȝeires THE ESTAITES OF PARLIAMENT Hes noīat and appoyntit The viſcount of Arbuthnet Lord Torphichin and Lord Cowpar for the nobillmen Sr James Hope Johne dickſone of Heartrie and Robert Hepburne of Keyth for the Barrones Maiſter Johne Hay Patrick Roſ^{s} and Mr Alexander dowglas for the Burrowes To be ane Cōmittee for billis and ratifica^{o}unes to be preſented to the Parlia^{t} To quhom or to the maiſt pairt thairof as the quorum Thair being ane thair of ewerie eſtait THE ESTAITES OF PARLIA^{T} Gives powar and warrand To receave reid and conſidder All billis and ſupplica^{o}unes to be given in and p^{r}tit to the Parlia^{t} And to remitt ſick thairof as ar proper to any vther Judicatorie To theſ^{s} Judicatories to quhom the ſamȳ properlie belongis And to tak the reſt to their conſiddera^{o}un with ſick ratefeca^{o}unes as ſalbe preſented to thame with the verefica^{o}unes of the ſamyen And accordinglie to repreſent the ſamyen with thair oppinioun and Judgment thairanent to the Parlia^{t} That they may determine thairanent as they ſall think fitt WITH POWAR ALSO To the ſaid Cōmittee or quorum thairof foirſaid To grant cita^{o}un at the Inſtance of the ſupplicants againes the pairties complenit vpoun / And witneſ^{s} gif neid beis as the cōmittee or quorum thairof foirſaid ſall think neceſſ^{r} And that in ſick billis and ſupplica^{o}unes as does

not belong to any vther Judicatorie And declaires the Lord Chancelare to be supernumerarie in this and all vther Committees of Parliament

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[LETTER from the ꝑmiſſionarꝭ at Londone To the ꝑmitte of eſteattꝭ

FOR the right honoᵇˡᵉ: the Comittee of Estates of the Kingdome of Scotland mett at Edinbrugh.

May it please yoʳ Loꝛ

THIS day wee have received yoʳ Loꝛ Letter of the 19ᵗʰ of this instant, wherein for our direction in the manageing of affaires yow doe referre to the Instructions given by yow, on the 6ᵗʰ of this moneth. But the State of affaires being much altered from what it was supposed by yoʳ Loꝛ to bee, when these Instructions were framed, both in relation to the condition of the King, & the houses of Parliamᵗ, to whom wee are directed by our Comiſsion & Instructions to make our addreſses; Wee have found it neceſsary for vs, by this expreſse, to adde this further account of the State of affaires, to what yoʳ Loꝛ have already received; And vpon the whole, to crave yoʳ Loꝛ particular directions.

VPON the 6ᵗʰ of this instant, the Army haveing sent some forces to the houſes of Parlt, did by officers, appointed for that purpose, seaze vpon the persons of above 40ᵗⁱᵉ members of the house of Comons, and denyed to set them at liberty againe, though it was twice desired by order from the Members that were permitted to sit, who alſo refuised to act vntill this force was removed, & their members set at liberty. The day following, about 50ᵗⁱᵉꝛ or 60ᵗⁱᵉꝛ of those who were permitted to sit the day before, were by force debarred from entering the houſe. Some did forbeare to come to the house, that they might avoide imprisonment; And others abstaine, because they will not sit in the house as long as it is vnder force. What the number of the whole may bee, we know not; but wee haue sent yoʳ Loꝛ a list of those who were imprisoned, & of others appointed to be debarred from entring into the house, wᶜʰ doe amount to two hundred & odde; yet no charge hath beine given in against them. There was a paper given in by the Army to the house; wherein, it was affirmed, that it appeared vpon a division of the house, that nynty & odde were against declareing the Scotts who invaded this Kingdome, Enemyes; But vpon triall & search of the bookes, it was found that the house was not at all divided about that question. The Number of those who now sit in the house, is vſually betuixt 40ᵗⁱᵉꝛ & 50ᵗⁱᵉꝛ & sometyme betuixt 50 & 60ᵗⁱᵉꝛ amongst wᶜʰ number, wee have few or no freinds. Wee have also sent a list of their Names who were once imprisoned, and are now at liberty, but doe not come to the house.

AMONGST the Lords, the Earle of Northumberland; E. of Manchester, Lord Say & others, forebeare to come to the house of Peeres, and their number who doe come, is vſually three or foure of these six, viz the Lord Pembroke, Denbigh, Nottinghame, Kent, Mulgrave, & Grey of Worke. Vpon fryday the 11ᵗʰ of this instant, a private fast was keept in the house of Comons; after wᶜʰ, all former votes relateing to a Treaty with the King, and the ordinance concerneing the Militia, were revocked. Vpon fryday last, they had another fast, wᶜʰ they keep't publictly in the litle Church in Westminster; And the next day this vote, for proceiding agᵗ the king & other capitall offendoʳˢ paſsed, there being few above a quorum present. A Committee of 38 was first appointed to consider of the way of proceiding; but after so many were named, the whole house was appointed to be of the Comittee, As will appeare to yoʳ Loꝛ by the copy of the vote herewith sent. Some say, they will proceid to the triall of the King by a Comiſsion from both houſes vnder the great Seale; but the debate of the Comittee, as wee are informed, tended most to a proceiding against him, as a Prisoner of Warre, by a Court Martiall. Hee was brought to Windsor on Saturnday last at night.

WEE have alſo sent yoʳ Loꝛ a paper, called the agreemᵗ of the people wᶜʰ generally for the substance, wee heare, is approved by the Councell of Warre; the greatest alteration wee can learne of, is in that part of it, wᶜʰ is called the first reserve, & relates to matters of Religion Concerneing wᶜʰ, there hath beine much debate betuixt the Levellers & others, And at Lenth is thus composed; That the representatives shall have power in things naturall & Civill, & those only. The word morall was once offred; but vpon the question was rejected, becauſe it might be supposed to extend to matters of Religion, wᶜʰ is equivalent to an vniversall Toleration. Yoʳ Loꝛ will likewiſe receive Mʳ Ashhursts observations in print, vpon that agreement.

WEE have further to represent vnto yoʳ Loꝛ that, if wee shalbe silent at these things, it wilbe taken as an approbation of them; Or at the best, wilbe vnderstood to be a complyance with the Armyes proceidings, vpon private & vnderhand agreements; And vpon the other part, if wee make addreſses to the Lords & Comons, who are permitted to sit, & acknowledge them to be the houses of Parlt, It willbe looked vpon by others, as a wronging of the cause, & a breach of the Covenant; wᶜʰ obleigeth vs to ꝑserve the rights & priviledges of the Parlts, & libertyes of the King.

domes; vnleſse it be done with a Salvo to the priviledges of Parlt, & takeing notice of the force vpon the houses. In these difficult & tickliſh affaires wch are of so great importance, & dangerous consequence to Religion, And to the peace & vnion betuixt the Kingdomes; Wee have judged it most neceſsary for vs, to desire yor Lo / speedy & positive directions vpon the whole particulars represented In expectation whereof, Wee rest,

Yor Lo / most humble Servants.

Covent gardin the 26th of Decr 1648.

Lothian
Jo: Cheislie
W Glendonyng

IN the List of Members wch wee have sent wee desire yor Lo / to observe, That all those who are marked with a croſse, were designed by the Army, to imprisonment; And those who are marked with an · O · are now releaſed.

THE Lres from New Castle came hither yesterday; but the Lres from Edinbrugh came not till this day.

5 Jarij 1649

Producit be my Lord chancellor and red in audience of the parl]

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[VOTES of the houſe of Comons.

Die Sabbathi 23° decris / 1648.

Reſolued &c:

THAT it be referred to a Comittee, to consider how to proceede in a way of Justice against the King, & other capitall offendors; And that the said Comittee doe present their opinions therevpon to the houſe, with all convenient speed; And that they have power to send for persons, papers, witneſses, & records, viz vnto

Sir Tho. Widdrington
Mr Whitelock
Mr Sollicitor
Mr Serjant Thorpe
Mr Liſle
Lord Grey
Mr Holland
Col. Harvey
Mr Scott
Mr Cawley
Mr Allen
Lord Munſon
Lord Liſle
Sir James Harrington
Mr Serjant Nicholas
Col. Stapley
Mr Cary
Mr Hill
Mr Tho. Challenar
Mr Lillebone Long
Mr Henry Smith
Col. Purefoy
Mr Love
Mr Miles Corbett
Mr Millington
Mr ffry
Mr Humphrey Edward
Mr Gregory Norton
Mr Browne
Col. Venne
Sir Henry Mildmay
Major generall Skippon
Alderman Atkins
Col. Walten
Col. Boſewell
Mr Alderman Penington
Alderman Wilſon
Mr Martin

And all that will come are to have voices, And the said Comittee are to meete this afternoone in the Speakers Chamber.

5° Jarij 1649

Producit be my lord Chancellor and red in audience of the parl]

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[THE paper called the agreement of the people]

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[INSTRUCTIONS from the Parliament of Scotland to their Commiſsioners at London concerning proceeding against the Kings person]

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VI JANUARII.

ORDINANCE anent the Initiall words to be prefixed to Acts of Parliament. 8

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ACT In favouris of Sr James Hope of Hoptoun to hold courts within his Majeſties Minthouse

AT EDINBURGH The Sext Day of Januarij The 3eire of God Jm vjc ffourtie Nyne 3earis THE ESTAITS of PARLIAMENT now pñtlie conveinit in this ſecond Seſſioune of this ſecund trienniall parliament Haveing heard and conſidered The Supplicaoune pñtit be Sir Johne falconer Schewing that thair is Come to Light the diſordourlie diſhoneſt and vnwarrandable cariage of ſeverall of the workmen And otheris Intruſtit within his mãties Mynt Tending to þe verie evident prejudice of the ſupplicant And qlk is off Important Concernement ffor the ordour of that hous And als off the Supplicantis deſyre off Juſtice to be done be Sir James hope vpon the ſaidis perſones, quhois chairg by his office is to Cognoſce And take ordour þairanent And of the ſaid Sir James his refuiſeall To doe the ſamine Without a warrand from the ſaidis eſtates of parliament Sieing all Inferior Judicatories ſurceaſſe from the exerciſe of Juſtice dureing the fitting off parliament vnles they have ſpeciall warrand from the ſaidis eſtates for doeing þrof As the ſupplicaoune mair fullie bearis THE SAIDIS ESTATES of PARLIAMENT Grantis warrand and Cõmand To the ſaid Sr James hope 9

to ſitt & hold courtis and doe Juſtice in the mater aforſaid notwithſtanding the pñt ſitting parliament q'anent the ſaidis eſtaitis diſpencis And the ſaidis Eſtates Ordaines the proveiſt & baillzies off Ed' To ſecure the perſones of the ſaidis delinquentis If neid beis vpon the deſyre of the ſaid S' James vntill Juſtice be done be him q'anent Whairanent thir pñtis ſall be a ſufficient warrand

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XI JANUARII.

ACT ratifying the Act of Indiction of this preſent Parliament.

10 THE Eſtates of Parliament now preſently conveened in this ſecond Seſsion of the ſecond Triennial Parliament, by vertue of an Act of the Committee of Eſtates who had Power and Authority from the laſt Parliament, for conveening the Parliament; Having taken to their conſideration the ſaid Act of the Committee of Eſtates of the date the twenty ſeventh day of October one thouſand ſix hundred fourty eight yeers, whereof the Tenour followeth. At Edinburgh the twenty ſeventh day of October one thouſand ſix hundred and fourty eight yeers. Whereas it is the ſpeciall duty and priviledge of Parliament to ſettle and preſerve the Government and Peace of the Kingdom, to keep the Judicatories thereof free from corruption, and preſerve the union betwixt the Kingdoms. And that the expedience and neceſſity of frequent meetings of Parliament for the good of the Kingdom, eſpecially in troubleſome times is known to all, and that now after ſo many great diſtractions and alterations, the Kings Majeſtie and the Honourable Houſes of the Parliament of England are upon a Treaty, wherein Religion, the King, and the good and peace of the Kingdoms are ſo nearly concerned; In all which, the intereſt of this Kingdom, can be beſt ſetled and ſecured by the wiſdom and authority of the Parliament. Likeas by the late Treaty at Edinburgh and Stirling; It is agreed on, That all Civill queſtions and differences whatſoever, be referred to the determination of a Parliament, to ſit down before the tenth of January next. And in regard of the clauſe contained in the Commiſsion to the Committee of Eſtates, giving them power to call a meeting of the Eſtates of Parliament, (The whole perſons on the Committee within the Kingdom being warned); Therefore the Committee of Eſtates having warned duely by Letters all theſe that are now of their number, and being frequently conveened, They think fit to call; Likeas they doe hereby appoint and call a meeting of the Eſtates of Parliament to ſit down at Edinburgh the fourth day of January next to come, In the year of God one thouſand ſix hundred forty nine yeares. And ordains the ſeverall Shires and Burghs to ſend thereto Commiſſioners qualified according to the Acts of the twenty two of September, and fourth of October [inſtant]. And doth hereby warn all Members of Parliament, Noblemen, Commiſsioners of Shires and Burghs, who are free of the faults contained in the foreſaids Acts, To meet and conveen at Edinburgh in Parliament on the day aforeſaid, without any other or further warning or premonition to be made for that effect, But only the Proclamation and publication of this preſent Act, and that in place of all other ſolemnities and formalities. And whereas the corruption of Judicatories of this Kingdom, and Officers of Eſtate, and other perſons in publick truſt, hath been the cauſe and fountain from whence our former evils hath proceeded; And whereas by our ſolemn Acknowledgment agreed on by Kirk and State, we are bound to God; by our Engagement to England, we are bound to them: and by the forecited Acts and publick Declarations, we are obliged before the world to endeavour the purgation and reformation of our Judicatories and places of publick truſt. And foraſmuch as the foreſaids perſons, and all who are in publick truſt, are liable to the judgement and cenſure of Parliament for their proceedings in their ſeverall places and offices. Likeas by the agreement at Edinburgh and Stirling, all ſuch as have been imployed in publick place and truſt, and have been acceſſory to the late unlawfull Engagement, ſhould forbear the exerciſe of their places in the mean time; And all queſtions are referred to the determination of the Parliament. And whereas by the ſaid Treaty, all theſe who have been acceſſory to the ſaid Engagement, or challengeable for their ſaid acceſsion, at the leaſt in ſo far as concerns their places and publick truſt, and the debarring of them from any of theſe; Therefore the Committee of Eſtates do hereby warn and cite all and every one of theſe who exerciſed any office, place, or publick truſt, or who were Members or Clerks of any publick Judicatory, of whatſoever degree, quality or condition ſoever, in Burgh or Land within this Kingdom, And hath been acceſſory to the late Engagement, or are guilty of the faults mentioned in the printed Acts of the twenty two of September [laſt] and fourth of October [inſtant], To compiere before the Eſtates of Parliament at Edinburgh the fourth day of January next to come, in a peaceable way, accompanied only with their own domeſtick ſervants, to hear and ſee the Parliament take ſuch courſe as they in their juſtice and wiſdom for the good of the Kingdom ſhall think fit, For purging of the Judicatories, and for declaring of their places vacand, and filling of them with ſuch as are able and qualified perſons fitteſt for the ſervice, and may give moſt contentment, and as hath continued conſtant to the Covenant and Cauſe in the time of Tryal; and for debarring them who are put out from any other publick places or truſt during ſuch time, and in

ſuch manner as the Eſtates of Parliament ſhall think fit; With certification to every one of the perſons concerned, as is aforeſaid: and warned by this publick Proclamation (which the Committee of Eſtates Declares, that they finde it a ſufficient intimation in this notour caſe of ſo great and publick a back-ſliding to all perſons concerned therein for the effect aforeſaid To be eſteemed by them equivalent to a perſonall citation at thair dwelling-houſes, upon particular Summons againſt every one of them) to compeir before the Eſtates of Parliament, as is aforeſaid; And if they compeir not, that then the Eſtates will proceed both to determine the generall queſtion, and the particulars concerning their places and truſt, And take what further courſe they ſhall think fitting for the good of the Kingdom. Likeas the Committee of Eſtates conſidering the preſent diſtractions of the time, and that the Parliament ſo neerly approacheth; They think fit to continue the down-ſitting of the Seſsion untill the Parliament give Order thereanent: and for the acceleration of juſtice to the Lieges, The Committee of Eſtates Ordains the Clerks of Seſsion to give out Acts and Letters of continuation upon the firſt ſummons, within the ordinary time of ſitting of the Seſsion, albeit they ſit not; And that none [may] pretend ignorance of what is mentioned in this preſent Act, The Committee of Eſtates appoints it to be proclaimed at the Mercat Croſſe of Edinburgh, Peir and Shore of Leith, and to be Printed; Doth approve and ratifie the ſame in all the Heads and Articles thereof; And findes and declares the indiction and meeting of this preſent Parliament, to be free, lawfull, and neceſſary; And diſcharges any perſons guilty of the faults mentioned in the ſaid Act, To ſit in this preſent Seſsion of Parliament: And prohibits all perſons whatſoever, To call in queſtion the freedom, lawfulneſs and authority of this preſent Parliament, upon whatſoever pretext under the pain of Treaſon. And appoints this Act to be proclaimed at the Mercat Croſſe of Edinburgh by an Herauld, with ſound of Trumpet, that none pretend ignorance thereof: And thereafter Ordains the ſame to be Printed.

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XII JANUARII.

PROTESTATION Lord Berthuike for precedencie.

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PROTESTATION Lord Roſs for precedencie.

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PROTESTATION Lord Cathcart for precedencie.

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PROTESTATION Laird of Wedderburn for the Sheriffdom of Berwick.

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XIII JANUARII.

COMMISSIOUN for John Dicksone of Hartrie his proces

AT EDINBURGH The Threttine day of Januar 11
J^co vj^c^ ffourtie nyn geires THE ESTAITES OF PARLIAMENT Haveing hard The Erle of Caſſillis offer to thame be way of quere If any perſone giltie of the crymes ꝓteinit in the ſecound claſ of the act of claſſ might ſitt and vott in Parliāt And they haveing takin the ſamyen to thair conſiddera^oun They fand that non who war giltie of the crymes ꝓteinit in the ſamyen ſecound claſ of the ſaid act might ſitt or vott in Parliāt Quhairvpone the Erle of Caſſillis deſyred that it might be moved to the memberes of Parliāt than preſent giltie of the crymes foirſaidis To remove furth of the Parliāt And to abſteine from ſitting or votting till they war cleired otherwayes hee wald name thame publictlie Vpone this Johne dickſone of heartrie Cōmiſſioner for the ſhrefdome of Peibles Vnderſtanding that the Erle of Caſſillis was to queſtioun him as giltie of the crymes ꝓteinit in the ſecound claſ of the act foirſaid In all humilitie deſyred the Eſtates of Parliāt To tak to thair conſiddera^oun The decreit of the Cōmittee of proces quharin he is alreddie cleired And not onlie fred of cenſour vpone the groundꝭ ꝓteinit in the dēt Bot alſo thairby ordanit to be gratified Lykeas the Parliāt hes ꝓteinwallie ſenſyne admitted and ꝓteinwed him in his former ſrvice and truſt As alſo hes bein admitted at the laſt Synod at Edinbrughe and vther kirk judicatories Quhilkes being takin in conſiddera^oun be the ſaidꝭ Eſtates They did noīat and appoynt the Erle of Caſſillis and Lord Burghlie for the nobillmen The lairdis of Broodie and Libertown for the barones M^r alex^r Jaffray and Mr Robert Barclay for the burrowes TO BE ane Cōmittee To quhom or the maiſt pairt thairof as the quorum Thair being ane of ewrie eſtait thair THE SAIDIS ESTATES OF PARLIAMENT Gives powar and warrand to tak the premiſſ in Conſiddera^oun And accordinglie to report thair oppinioun thairanent to the Parliāt And for this effect Ordains the Cōmittee To meett vpone monday nixt at Ten hours That report may be maid to the Parliāt at thair firſt meitting thairefter To the q^lk Cōmittee or quorum foirſaid THE Saidꝭ Eſtates Lykewayes remittes the haill Comiſſiounes of the barrounes and burrowes queſtionabill To be lykewayes takin in conſiddera^oun be thame. And ordaines the ſaid Cōmittee or quorum thairof foirſaid To report thair oppinioun anent the haill premiſſ to the Parliāt in w^tt That thairefter they may tak ſick

farder courſe thairanent as they ſall think expedient AND the Said[e] Eſtates of Parliament declaires the Lord Chancelare to be ſupernumerarie in this and all vtheres Cōmittees of Parliament

XV JANUARII.

[REPORT of the Committee concerneing John Dickſon of Hartrie.

Ed[r] 15 Januarie 1649

ANENT the Comiſſione granted be the eſtaittis of Parliament concerneing the ſitting of Johne dikſone of Hartrie in parliament as cōmiſſioner for peebles, Sederunt, E caſſill[e] L / Burghley Brody Libbertoun / Alex[r] Jafray M[r] Ro[t] Irruing

THE Comittee haveing conſidderit the buſſienes recomendit to thame concerneing Johne dikſone of Hartrie, ffind[e] that thar is no cenſure nor ſentence pronunced aganes him Bot ffind[e] that the comittee of eſtaittis be thair act of the 22 of maij 1646 Recomendit to the comittee of proceſſ[e] to pas by any cenſuring of the ſaid Johne for what eſcaiped him in the relatione toward[e] the rebell[e]. And in Regaird that the comittee of proceſſ[e] did conceave the ground[e] of the recomenda[c]ne to be trew viz[t] his good and thankfull ſrvice pformed be him in parliament thoiſ[e] many yearis bygone, the teſtimonie of his affectione by lenning of conſiderable ſowmes of money to the publict, and his aſſiduus paynes takin in the effairis of the parliament w[t]out any allowance, and his faithfulnes and cair in preſerving the record[e] of parliament proceſſ[e] proba[c]ne and warrand[e] of foirfaulto[r] being in his hous of hartrie q[n] the rebell[e] came throw thoiſ[e] bound[e] Thairfor the ſaid comittee of proceſſ[e] Remitted the diſpoſall of the thouſand pound Impoiſed wpoun M[r] Alex[r] dikſone his ſone To the eſtaitt[e] of parliament, To q[m] the comittee of proceſſ[e] did by thair act ſeriouſlie recomend the conferring of the ſaid fyne as a gratuitie wpoun the ſd Jo[n] dikſone for his ſd ſrvice: And did abſolutlie referr and remitt the conſidera[c]ne of the ſaid Jo[n] dikſon and what might concerne him to the ſd eſtaitt[e] of parliament, And find[e] the act[e] of the comittee of proceſſ[e] in the ſouth (q[r]of this is ane) Ratifeid in parliament the 27 of marche 1647 Q[ue] premiſſ[e] this preſent committee Referris to the parliament to be takin in conſidera[c]ne and to do p[r]intill as they think fitt

BURGHLY: I: P: D: Com:

15 Ja[r] 1649

Red in audience of plia[t] And Jo[n] dickſoune his declara[c]ne ordained to be taiken in plia[t] vpoune ſick Interrogato[r]e as ſall be preſentit be anie member of pliament]

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ACT againſt theſe who were upon the unlawfull Engagement, and had uſed Inſolencies. 12

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XVI JANUARII.

ACT repealing all Acts of Parliament or Committee, made for the late unlawfull Engagement, and ratifying the Proteſtation, and Oppoſition againſt the ſame.

THE Eſtates of Parliament, preſently conveened in this ſecond Seſſion of the ſecond Triennial Parliament, by vertūe of an Act of the committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening of the Parliament, Taking to their moſt ſerious conſiderations (after ſo great judgments and deliverances on Gods part, and after ſo Solemn an Acknowledgment and Covenant renewed on their part) the Acts of the laſt Seſſion of Parliament, Beginning the ſecond of March, and ending the tenth of June 1648. and of the Committee of Eſtates before September laſt, and the proceeding of the Forces raiſed by them in the firſt and ſecond Levie, and theſe brought out of Ireland; and of the Committees of war in the ſeverall Shires appointed by them with the grounds, reaſons, and pretences therefore, whither contained in the Kings conceſſions at the Iſle of Wight, or ſet down in their Declarations, as in the fourth and ſeventh, ſixteen, twenty ſix, twenty ſeven Acts of the laſt Parliament, and in their Declaration to the Kingdom of England, emitted by the Committee of Eſtates the twenty eight day of June laſt when their Army went into England, in eſtabliſhing, carrying on, and proſecuting the late Engagement againſt the Kingdom of England, and raiſing the firſt and ſecond Leavie, in preſſing the ſame at home by unlawful Bands and cruel Plunderings; and in rejecting all Warnings, Petitions, Remonſtrances from the Kirk-Judicatories, and from Shires at home, and all Remonſtrances and offers of Treaty made from the Parliament of England by their Commiſſioners, in refuſing to declare the Kings Conceſſions at the Ile of Wight unſatisfactory to them, in trampling under foot the liberties of the Church at home, in invading of the Kingdom of England, and ſurprizing of their Towns, and marching through their Counties, and aſſociating with the Malignant party there; in returning after their defeat to Scotland, to renew their oppreſſion in this Kingdom, and invaſion of England; and to that end in the raiſing of new Forces, ſending Commiſſions to the claſſed Incendiaries of this Kingdom (who by ſtanding Acts of Parliament were debarred from all Truſt, for their joyning in the late Rebellion) and in many other ways, acts, and deeds proſecuting their deſigne at home and abroad. And conſidering the ſeveral offers & deſires made by the 13

Commiſſioners of the Kingdom of England for continuing the Peace & Union and the many earneſt and humble Petitions from ſeverall Shires, and the moſt part of provinciall Synods and Presbyteries; and the juſt and neceſſary Deſires, Remonſtrances and Declarations of the Commiſſioners of the Church to the Parliament and Committee, with their unſatisfactory Anſwer thereunto; and the Papers paſt betwixt the late General Aſſembly and the Committee, and the Diſſent and Proteſtations entred in the Parliament by a great number of every Eſtate and that of ſuch as hath been moſt inſtrumental and conſtant in this Cauſe ſince the beginning. And withall, taking to their ſerious conſideration the manifold ſolid reaſons againſt the Engagement, expreſſed in the Remonſtrances of the Commiſſion of the Kirk given in to the Parliament; and of the unanimous Declaration of the late General Aſſembly, and the reply of their Commiſsioners, demonſtrating from the Word of God the unlawfulneſſe of the ſaid Engagement, and evidencing the many Breaches of Covenant and treaties of Peace, the many wrongs done to the Liberties of the Church, and oppreſsions of the people of God, and many other unlawfull ingrediences in the matter, manner, nature and effect of that Engagement: and therefore denouncing Gods judgment againſt it, and warning the people to do their duty for the Cauſe of God and to the Covenant againſt all lets and impediments. All which was ſeconded ſo ſpeedily and immediately by Gods own hand, ſtirring up the hearts of his conſcientious people to the reſolution of oppoſing ſo great a defection from the Cauſe and Covenant. And by his performing the Counſell of his meſſengers and confirming the words of his ſervants in the defeat of that Army, and their overthrow in England with their aſſociats in England: as alſo in ſcattering of the remainder of that force returned unto Scotland, and joyned with theſe who at home were enſlaving this Kingdom, and in deveſting them with their own conſent by Treaty (with ſo little blood) of all outward force and exerciſe of State power, untill the determination of this Parliament. And the Eſtates pondering ſeriouſly the great neceſsity, and manifold reaſons preſsing the proteſters in Parliament with the aſſiſtance of the conſtant Covenanters throughout the Land, To make that oppoſition in Armes, ſo tryſted, directed and contenanced by Gods own good hand upon them as is more expreſſed in the Declaration of the Committee of Eſtates of the ſeventh of October laſt, and Information of the Kirk, publiſhed to the view of the world upon the ninth day of October laſt.

THEREFORE, and for many other reaſons and conſiderations, convincing them in their conſciences, That the foreſaid proceedings of the late Parliament and Committee in the appointing and proſecuting that Engagement againſt England, and in the oppreſsing of the Church in her Liberties, and of the good People throughout the Land in their perſons and eſtates; And which is moſt of all, in their conſciences by force and violence, cauſing the people to ſin, after they had declared by their Petitions the ſame was againſt the light of their conſciences, were unlawfull before God, and againſt his Word, were breaches of the Solemn League and Covenant (which being an Oath to GOD ſo neceſſary is not alterable by any humane Authority) and of the Treaties betwixt the Kingdoms, and under pretence of doing for Religion, for the King, for the Kingdoms, did really tend (as doth now more appear) to the ruining of Religion, undoing of the King, and dividing of the Kingdoms; And which in few moneths hath more waſted the ſubſtance of this Kingdom, and eſpecially of the wel-affected, then all our former troubles; And hath led out a forced multitude to ſlaughter or ſlavery, with ſo great reproach and diſgrace to the Nation, and occaſioned a powerfull Army to enter the bowels of this Kingdom in purſuit of their enemies who had invaded England, to the great endangering of this Kingdom, and ſo laying the Land open, and making it lyable to the guilt and miſerie of an unjuſt and offenſive War, drawing down Gods judgements, and expoſing us and our poſterity to invaſion from our neighbour Kingdom, if God in his providence had not remedied the ſame. As the Eſtates of Parliament have made before God a Solemn Aeknowledgment of the publick ſins and breaches of the Covenant, and a Solemn Engagement to all the Duties therein contained, Namely theſe which do in a more ſpecial way relate unto the dangers of theſe times, that Gods judgement drawn upon the Nation by ſuch a ſinfull courſe by a prevalent party of the repreſentative body, may be removed, and the like in time coming prevented; So alſo that all pretence of Law at home for proſecuting of theſe courſes; And that all pretence of quarrell from abroad againſt this Nation for the ſame may be taken away; And to teſtifie the firm reſolution and earneſt deſire of this Kingdom to preſerve inviolably the Vnion betwixt the Kingdoms, The Eſtates foreſaids, do hereby finde and declare the Kings Conceſsions at the Iſle of Wight, and late Declarations emitted by the Parliament and Committee, to be unſatisfactorie to them, and deſtructive to the Cauſe and Covenant: And doth diſclaim, condemn, annull, repeal, and declare to be void and of non-effect the Acts aftermentioned, as being in themſelves from the beginning, unjuſt and unlawfull, and contrary to the Word of GOD, and Solemn League and Covenant, and large Treaty betwixt the Kingdoms, The fourth Act, intituled, Act anent the reſolutions of Parliament, concerning the breaches of the Covenant and Treaties betwixt the Kingdoms of Scotland and England, and demands for reparation thereof. The ſixt Act, intituled, Act for putting of the Kingdom in a poſ-

ture of War for defence, and conſtituting the Committees of War of the ſeverall Shires. The ſeventh Act, intituled, A Declaration of the Parliament of Scotland, to all his Majeſties good Subjects of this Kingdom, concerning their reſolutions for Religion, King, and Kingdoms in purſuing of the Ends of the Covenant. The eighth Act, intituled, Deſires of the Parliament of Scotland, to the honourable Houſes of the Parliament of England. The ninth Act, intituled, Act anent the Levies of horſe and foot to be put out by the Shires and Burghs, and the Liſt of the Colonels, with their numbers. The eleventh Act, intituled, Act in favours of the outreikers of Horſe and Foot. The ſixteenth Act, intituled, A Letter from the Parliament of Scotland, to the ſeveral Presbyteries within this Kingdom. The eighteenth Act, intituled, Act anent the Oath to be taken by the Committees of War in the ſeverall Shires. The nineteenth Act, intituled, Act and Ordinance concerning the Garriſons within the Kingdom, for proviſion of the Forces thereof, and adding of two moneths Maintenance to the former five. The twentie Act, intituled, Act for raiſing of Troops. The twenty third Act, intituled, Act Ordaining all Miniſters to exhort their people to obedience to the Laws of the Kingdom, and aſſuring theſe Miniſters of their ſtipends, during their lifetimes. The twenty fourth Act, intituled, Act Ordaining the whole Members of Parliament, Noblemen, Barons, Burgeſſes, and all other Subjects and inhabitants of the Kingdom to ſubſcribe this Act for defence of the lawfulneſs of this Parliament, and obedience to the Acts thereof. The twenty ſixt Act, intituled, Act and Declaration of Parliament, and Anſwers to the ſupplications from Synods and Presbyteries. The twenty ſeventh Act, intituled, Act and Declaration of Parliament, in anſwer to the Petitions preſented to them from ſome Committees of War of Shires. And all other Acts, or parts, or clauſes of any other Act of the laſt Parliament publiſhed, and grounds and pretences thereof, in ſo far as they import, the approbation, purſuance, or furtherance of the ſaid late unlawful Engagement. And this generall Clauſe, is declared to be als ſufficient for repealing and annulling of them, as if the tenour thereof were herein inſert, wherewith the Eſtates diſpenſe.

SICLIKE the Eſtates annuls, reſcinds and repeals among the unprinted Acts, The Commiſsion granted to the cloſe Committee, concerning Berwick and Carliſle, againſt which divers Members of Parliament entred their Diſſent and Proteſtation, The Commiſsions granted to Duke Hammilton, and other Officers of the Army; The Ordinance in favours of theſe that proteſted in Fyfe, and Hadingtoun; The Ordinance for giving thanks to theſe, who in the ſeverall Shires preſented Petitions, or writ Letters for encouraging the Parliament to go on in the Engagement, The Act anent the Colledge of Juſtice, and their Colonell: The Act anent the Lord Cochrane, Laird Garthland, and Alexander Crawfurd their going to Ireland: The Act anent the Magiſtrates and Counſell of Glaſgow: The Act ratifying the Acts of Committee made in the receſs of Parliament; and all other unprinted Acts, or clauſes of unprinted Acts, grounds and pretences thereof, in ſo far as they import the approbation, purſuance or furtherance of the ſaid late unlawfull Engagement. And this generall clauſe is declared to be als ſufficient for repealing and annulling them, as if the tenours thereof were herein inſert.

IN like manner the Eſtates of Parliament condemns, annuls and reſcinds all the Acts of the Committee of Eſtates, contained in the table ſubjoyned to this Act, And all other Acts or parts, or clauſes of any other Acts of the ſaid Committee of Eſtates, grounds and pretences thereof, in ſo far as they import the approbation, purſuance, or furtherance of the ſaid late unlawfull Engagement; and this generall clauſe is declared to be als ſufficient for repealing and annulling of them as if the tenour thereof were herein inſert, wherewith the ſaids Eſtates diſpenſe.

AND in like manner, do annull, condemn and repeal all Acts made, and deeds done by the former Parliament and Committee of Eſtates, contrary to the Liberties of the Kirk, or any wayes encroaching upon the ſame, in particular theſe which follow; firſt, their emitting of Declarations, containing things highly concerning Religion, not onely without advice and conſent of the General Aſſembly and their Commiſsioners, but contrary to their expreſs Deſires, ſupplications, Remonſtrances and Declarations, declaring the ſame to be dangerous and deſtructive thereto, eſpecially the reſtoring of the King to honour freedom and ſafty, without ſufficient ſecurity firſt had from him for ſecuring of Religion, as is more fully expreſſed in the deſires and Repreſentation of the Commiſsioners of the General Aſſembly; Secondly, the puting of an unſound gloſs in the cloſe of the Declaration of the Parliament upon the Covenant, and Acts of the Generall Aſſembly, in theſe things that concern our duties to the King, as is clearly holden forth in the Repreſentation of the Commiſsion of the Aſſembly. Thirdly, the making proviſion for ſecuring of the ſtipends of ſuch Miniſters as ſhall be cenſured for their concurring in, or preaching for the unlawfull Engagement againſt England: Fourthly, their groſs miſrepreſenting of the proceeding of the Commiſsion of the General Aſſembly by the Parliaments Letter of May the eleventh to the ſeveral Presbyteries, and endeavouring to incenſe them againſt the Commiſsion of the Generall Aſſembly, and to pre-poſſeſs with prejudices the Commiſsioners to the following Aſſembly. Fifthly, the taking upon them in the Act and De-

claration of the Parliament, commonly called the Band, to judge and determine ſuch things without adviſe of the Kirk, wherein the Aſſemblies of the Kirk have a ſpecial intereſt of an antecedent judgement, as who are enemies to Religion, and who not, and what are the moſt fit and neceſſary remedies for preſerving of the ſame. Sixthly, their depriving of the Generall Aſſembly and their Commiſſioners of the liberty of Printing, by putting an inhibition to the contrary on Printers, under the pain of death, againſt ſeverall Acts of Parliament, Declaring and confirming the Kirks Liberty and Priviledge of Printing: And ſiclike diſclaims and condemns their impious uſurpation in calling in the Printed Copies of the Cauſes of a Solemn univerſall Faſt and Humiliation, indicted by the Commiſsioners of the Aſſembly, and inhibiting of the Printer to give any out of his hands, thereby intending to interrupt the obſerving of the Faſt by the want of information of the Reaſons and Cauſes thereof; And alſo annuls, and repeals, diſclaims and condemns, all and ſundry other Acts made, and deeds done by the ſaid Parliament or Committee of Eſtates, or by their Authority that may infer any prejudice to Religion, or the power, priviledges and Liberties of the Kirk which we are bound by ſo many ſtrong Bands and Solemn obligations to maintain: And ſiclike annuls and reſcinds all Acts of Committees of Shires, or Burghs Royall, or of Regality, Barony Courts, or other Judicatories whatſoever made in purſuance of that Engagement; And Ordains all the ſubſcribed Copies of the Band, condemned by the Generall Aſſembly, to be brought in to the Parliament or Committee of Eſtates, to be diſpoſed of as they ſhall think fitteſt: And all other Acts, grounds, and pretences thereof, in ſo far as they import the furtherance, or purſuance of the ſaid late unlawfull Engagement. Likeas the Eſtates of Parliament, upon the manifold abovementioned grounds more fully related in the Declaration of the Committee of Eſtates, and Information of the Kirk, being perſwaded that the Proteſtations of the Members made in Parliament, and their Oppoſition ſince by defenſive Armes for the ſafety of the Covenant, Cauſe, and themſelves from ruine, againſt ſo great a defection, carried on with ſo great oppreſsion: and their proceedings in the Treaty at Stirling, diveſting the Ingagers with their own conſent, of power and force which they had in their hands; and their aſſurance given by the Act of the ſixt of October to the Kingdom of England for debarring of the Authors and Abettors of that Engagement from places of publick Truſt or Power without their conſent, which was demanded by their forces as the leaſt ſatisfaction and ſecurity before their removal, and their proceedings by publick Acts in the purſuance of theſe two Treaties, to ſeclude thoſe who had concurred in the Engagement from power in Judicatories, Armies, or places of Truſt untill the determination of a Parliament were Laws in themſelves, and neceſſary for them according to the condition of affairs. Therefore the Eſtates of Parliament did allow, approve of, and confirm the Diſſent and Proteſtation made in Parliament by many Faithfull Members of each Eſtate, whereof the tenour follows. "Whereas the draught of a Declaration hath been "read concerning the breaches of the Covenant in "matters of Religion, and the Demands to be "made for remedy and reparation thereof, the "dangers to Religion, and the duties whereunto "we are obliged by Covenant, for Reformation "and Uniformity in Religion, and the ſecurity to "be had for the eſtabliſhing the ſame: upon which "grounds alſo a War is principally founded: And "whereas we have earneſtly deſired and inſiſted, "that there may be no proceeding to any determi-"nation concerning the ſaid Declaration, before the "Commiſsion of the Generall Aſſembly be firſt con-"ſulted therein: We do hereby enter our Diſſent "from proceeding to the determination of matters "ſo highly concerning Religion, without the adviſe "and concurrence of the Kirk, as a preparative of "moſt dangerous conſequence to Religion, and "deſtructive to the Liberties of the Church; as "contrary to the Nationall and Solemn League "and Covenant, and to the known Laws and con-"ſtant practiſe of this Kingdom. And we do pro-"teſt, that we may not be included in any ſuch "Vote or Reſolution, but may be free of all the "guiltineſs, confuſions, diſtractions, and evils what-"ſoever that may follow thereupon to Religion, "the King, this Kirk and Kingdom, and the union "betwixt the Kingdoms."

AND ſiclike allows the riſing of ſuch Shires and others who joyned in Armes for oppoſing of the ſaid Engagement, and reſcuing the Kingdom from the oppreſſion of the Forces under the command of the Earl of Crawfurd, Earl of Lanerk, and George Monro, and their proceedings in purſuance thereof, and alſo ratifies the late Treaty at Stirling & Edinburgh, upon the twenty ſixt & twenty ſeventh of September laſt; and ſiclike allows the Treaty and Engagement to the Kingdom of England by their anſwers of the ſixt of October laſt, for debarring of the Engagers from publick truſt in this Kingdom without their conſent. Siclike the two Acts of Committee of the twenty ſecond of September, and fourth of October; and the Act of the ninth of November, all made for debarring of theſe who concurred in the late Engagement, from the exerciſe of publick places or truſt untill the determination of this Parliament. Likewiſe the Declaration of the Committee of Eſtates concerning their proceedings in oppoſition to the late unlawfull Engagement againſt England of the date the ſeventh of October laſt, publiſhed to the world; and the Act of the ſaid Committee for making of the publick Acknowledgment, and renewing of the Covenant,

and the Act of the Committee of the fourteen of October laſt: All which the Eſtates of Parliament, as is aforeſaid, do allow, confirm and ratifie in all the Heads, Clauſes and Articles thereof. And this generall Clauſe is declared to be als ſufficient for ratifying and confirming the ſaids Acts and Clauſes thereof, as if the Tenours of the ſame were here particularly inſert; Wherewith the Eſtates foreſaids do hereby diſpenſe.

FOLLOWES the liſt of the Acts of the Committee of Eſtates for advancing the Ingagement. Act for diſplacing of ſuch of the committee of Warre as would not take the Oath. Act for ſending the forty thouſand pounds to Ireland. Warrand to quarter upon the deficients in the unlawfull Ingagement. Letters to ſeverall Shires for advancing the Levie. Letters, Commiſsions, Deſires and Anſwers for bringing the forces out of Ireland. Warrand for impriſoning the Magiſtrates and Counſell of Glaſgow, for their deficiencie in the Levie. The Oath to be taken by the Committee for maintaining the proceedings of Parliament. Approbation of the Earl of Callendar & General Major Middleton for their baſe, cruell and unnaturall proceedings againſt the honeſt and conſcientious people that met at Mauchline Moore for their own defence, whilk was not done without the baſeneſſe and treachery of ſome. Protection to the Captain of Clanronald, and Maclene excommunicate bloody Rebels. Act for ſtopping of printing; notwithſtanding the Kirks liberty. Letter to the Army in Ireland to proceed againſt theſe that refuſed to obey their Orders for the Ingagement, as enemies to Religion, King and Kingdoms. Warrand to Duke Hammilton to Garriſon the houſes of the beſt affected in the Weſt. Warrand to the Marqueſſe of Argyle to deliver Lamond. Commiſsion to the Earle of Crawford to command the forces that come out of Ireland. Act for drawing Dittayes againſt the Miniſters, and for continuation of their proceſſe untill a new citation. Commiſsion to Sir Robert Dowglas of Blakeſtone (a prime claſſed malignant, for having hand in the rebellion of James Grahame) to uplift the fines of the honeſt men in the Weſt, for being at Mauchlin Moore. Commiſsion to young Maclene who had been in the Rebellion to be a Collonell. Declaration anent the Lord Inchiquin and his army. Warrand to Duke Hammilton to invade England. The Declaration of the Committee of Eſtates anent the neceſsity of invading of England. Act for repaying monies advanced for the Ingagement. Letters to Lambert to joyn with Duke Hammiltons army. Warrand to Mr. George Halyburton to borrow mony in England upon publick faith unlimitted. Letters to the King and Parliament of England ſhewing their intentions in the Engagement, ſent with Mr. George Halyburton. Act taking off Sir John Drummonds reſtraint. Commiſsion to Lauderdale to ſecure Berwick. Severall anſwers of the Committee of Eſtates, and meſſages to the Generall Aſſembly moſt unſatisfactory. Protection of Patrick Leſlie from the cenſure of the General Aſſembly. Impriſonment of Greenhead and Colonel Scot. Approbation of the Lord Cochrane, and Laird of Garthlands proceedings in Ireland. Act allowing of twenty thouſand pounds to Lord Cochrane, and Laird of Garthland. Act for the new Levie of one thouſand five hundred horſe under pretext of ane Guard to the Prince. Commiſsion to Macintoſch for ane Gariſon to the houſe of Inuerlochie. Warrand to levie Troopes for advancing the Ingagement. Commiſsion to Duke Hammilton to be Governour of Berwick, and the Earl of Callender of Carlile. Precept to Generall Major Robert Monroe for ane thouſand pound ſterling. Warrand to the Commiſſioners to deliver victual to Seaforth, Maclene, and Macdonald, Who were in the former rebellion, for entertaining of their force. Warrand to diſcharge the Gariſons of Dowart, Moy, and others, whereof the Marqueſſe of Argyle had the keeping. Commiſsion to Macconnel to depute another in his place, himſelf and all his friends being in the rebellion. Macconnel diſcharged of his former Rebellion, and imployed without finding caution. Act pardoning Maclene, notwithſtanding of the Acts of the third and eight of February 1648. whereby he is declared to have forfeited their pardon. Charge to the Marqueſſe of Argyle to deliver Lamont under the pain of Rebellion, and his eſcheat to fall. Warrant for removing all out of the Abbey. Act approving the caſhiering of Sir Dugald Campbell of Auchinbreck, and William Campbell from their places in *Argyles* Regiment, and placeing others therein, for their not concurrence in the Engagement. Act diſcharging the Presbyterie of Linlithgow from the exerciſe of their calling, in admitting a Miniſter, and ordaining the Kirk doors to be locked. Letters relating to the Engagement. Letter for raiſing of the Atholl men, who had been in the Rebellion. William Gordon of Monymore, an active and bloody Inſtrument in the Rebellion ſet at liberty freely. Warrant for publiſhing the Committees Obſervations. Princes Declaration and Information of publick proceedings. Earl of Airlie diſcharged of ſeventeen moneths *Maintenance*. The Petition from the Committee of Stirling Shire, anent their Miniſters Committed. New Commiſſions and Warrants, Earl of Seaforth, Makgleud, Sir James Macdonnell, contrary to ſtanding Acts of Parliament. Commiſsion to the Earl of Lanerk to be General. Several Letters expreſſing they would not live, and out live that Engagement. Lauderdails inſtructions, to bring Forraign Forces out of France, Holland, or elſewhere. Letters to the Cardinal of France. Blank Commiſsion to Lauderdail. Warrant to engage the Publick faith of the Kingdom for money abroad, and for Arms

and Ammunition. A ſtrict union with Holland, for aſsiſting the proſecution of the Engagement. Promiſe to reſtore the Queen. Lauderdails inſtruction to the Prince. Letters to the Queen, inviting her to returne and to interpoſe. Letters to the Prince of Orange and States of Holland, requiring Forraign aſsiſtance. Commiſsion to the Earle of Seaforth Sir John Mackenzie, and all other Commiſsions for levying Forces. Act made at Stirling and other places, for bringing out all betwixt ſixty and ſixtene for their aſsiſtance. Act for giving to Sir Harry Gib two thouſand pound Stirling. Commiſsion for Inuercauld his Regiment and watch. Act for aſsignments upon ſeverall Shires, for Maintenance and Exciſe, and ſpecially Air and Galloway, and all others in that kind. Diſpoſition of the forfaultry of Midkeltoun. Warrants to admit to the Committees of War theſe that were in the firſt and ſecond Claſſes. Act for repaying mony that was disburſt for the Engagement. Aſsignation of the Exciſe to Captain Maine and Maſter Mauld. All others Acts done by theſe Members of the Committee, who had taken the Oath before or after the firſt of September at Stirling, or any where elſe, in proſecuting of the ſaid Engagement, & oppoſition to the Covenanted Forces, riſen in defenſive Arms. And Ordains the ſame preſently to be publiſhed at the Mercat Croſſe of Edinburgh, and therafter to be printed.

ACT in favours of the Miniſters who were at Mauchlein-Moore.

14 THE Eſtates of Parliament, Conſidering that Maſter John Nevoy Miniſter of Loudoun, Mr. William Adair Miniſter of Air, Mr. Gabriel Maxwell Miniſter of Dundonald, Mr. Alexander Blair Miniſter of Galſtoun, Mr. Matthew Mowat Miniſter of Kilmarnock, Mr. Thomas Wylie Miniſter of Mauchlien, and Mr. William Guthrie Miniſter of Newkilmarnock were in the moneths of June and July laſt 1648. charged and proceſſed before the Committee of Eſtates as Traytors, for being airt and part of that oppoſition made at Mauchlein Moore, by ſome of the wel-affected people in the Weſt in the moneth of June laſt 1648. To the Earl of Calendar, and General Major Middletons forces, which (not without treachery of ſome) cruelly perſecuted the wel-affected people in the Weſt in their Eſtates, Lives and Conſciences, for not going on in the unlawfull Engagement againſt their Conſciences: And now the Eſtates having found the ſaid late Engagement againſt England unlawfull, and having approven all the Oppoſition that was made thereto as lawfull, and ſuch as the oppoſers were bound unto by the Covenant; Therefore the Eſtates findes and Declares, That the riſing in Armes at Mauchlein Moore by the good & wel-affected people there aſſembled, and what was done there by them, and by the ſaids Miniſters in oppoſition to the ſaid Earl of Calender, and Generall Major Middletons Forces were not only lawfull, but a zealous and reall Teſtimony to the Truth and Covenant, and that which became faithfull Miniſters of the Goſpel, and people zealous for the truth to do: Likeas, the ſaids Eſtates Ordains, that neither the people, The ſaids Miniſters, nor any other Miniſters that were there preſent, be any wayes troubled or moleſted in judgement or outwith for the ſame at no time hereafter: And alſo the ſaids Eſtates diſcharges all Summonds of Treaſon, or other Summons or Proceſſes already intended and purſued againſt the ſaids Miniſters in all time to come, with all that hath followed or may follow thereupon, for the ſaids Miniſters their being at Mauchlein Moor the time foreſaid, or for their being acceſſory or airt or pairt of the ſaid riſing of the Lieges at the ſaid time.

ACT of Commiſsion anent the Vniverſitie of St. Andrews.

THE Eſtates of Parliament now preſently convened in this ſecond Seſsion of the ſecond Triennal Parliament, by vertue of an Act of the Committee of Eſtates who had power and authority from the laſt Parliament for convening the Parliament, Conſidering that his Majeſtie hath lately given and founded to the Vniverſity of St. Andrews, and Colledges thereof, The Few-mailes, Few-fermes, Teynds, Teynd-duties, and Annual-rents which pertained of before to the late Archbiſhop of St. Andrews and Priory thereof annext thereto. And that the ſaids Rents are by expreſſe condition of the ſaid Mortification appointed to be diſtribute amongſt the ſeverall Colledges of the ſaid Univerſity, Principalls, Profeſſours, Regents and other Members thereof, At the ſight of his Majeſties Commiſsioners appointed or to be appointed for viſiting of the ſaid Univerſity: And that the Kings Majeſtie and Eſtates of Parliament, in the laſt Parliament holden at Edinburgh in Anno 1641. Did upon the ſixteen day of November 1641. Give power and Commiſsion to certain perſons therein nominate for viſiting of the ſaid Univerſity of St. Andrews, and Colledges thereof, And for diſtributing the ſaid Few-mailes, and others abovеſpecified amongſt the Principalls, Profeſſours, Regents, and others Members of the ſaid Univerſity, in manner at length mentioned in the ſaid Commiſsion: With power to them to order the courſe of the ſtudies of the youth, And to ſet down orders for ruling of the ſaid Univerſity, And als conſidering that for the weal of the ſaid Univerſity, It is moſt expedient that a new Commiſsion be granted in this preſent Parliament, To the effect above and underwritten; Therefore the Eſtates of Parliament makes, nominates and conſtitutes The perſons reſpective after following, viz. John Earle 15

of Loudoun, Lord Mauchline and Terinzeane high Chancellar of Scotland, Archbald Marqueſſe of Argyle, Earl of Kintyre, Lord Campbell and Lorn, John Earl of Caſsils Lord Kennedy, Robert Vicecount of Arbuthnet, Archbald Lord Angus, John Lord Torphichen, John Lord Balmerino, Robert Lord Burghlie, David Lord Elcho, James Lord Couper, Sir Archbald Johnſtoun of Wariſtoun, Knight, His Majeſties Advocat, Sir John Hope of Craighall Knight, Two of the Senators of the Colledge of Juſtice, Arthur Erskin of Scotiſcraig, David Beatoun of Creich, Sir John Moncreiff of that ilk Knight, Sir James Monepenny of Pitmelly, Walter Dundas of that ilk, Maſter George Dundas of Dudingſtoun, Mr. James Reid of Pitlethie, James Weymes of Fingask, James Sword citouner of St. Andros, Maſter Robert Douglas, Maſter John Smyth, Maſter James Hamiltoun, and Maſter Mungo Law, four of the ordinary Miniſters of Edinburgh, Maſter Robert Blair and Maſter Andro Honyman Miniſters at St. Andros, Maſter David Forret Miniſter at Kilconquair, Maſter Robert Trail Miniſter at Ellie, Maſter Colein Adam Miniſter at Anſtruther, Maſter Moncreiff Miniſter at Kinghorn, Maſter Alexander Moncrieff Miniſter at Skoony, Maſter Fredreck Carmichaell Miniſter at Markinch, Maſter Walter Greg Miniſter at Balmerino, Maſter Andro Bennet Miniſter at Creich, Maſter James Bruce Miniſter at Kingsbarnes, Maſter John Duncan Miniſter at Culroſs, Maſter George Leſly Miniſter at the Cannogate, Maſter James Gutherie Miniſter at Lauder, Maſter William Dalgleiſch Miniſter at Craumond, or any nine of them as a quorum, there being four of them Miniſters, and five of the others forenamed perſons who are not Miniſters As their Commiſsioners in that part, To the effect after ſpecified, With full power and Commiſsion to them or quorum foreſaid, To meet, conveen and viſit the ſaid Univerſity and Colledges thereof, At Edinburgh upon the Twentieth two day of January inſtant, Which is to be the firſt dyet of their meeting (At which time they are to appoint all ſubſequent dyets and places of meeting as they ſhall think expedient) To ſummond and conveen before them All the members of the ſaid Univerſitie, And to diſtribute amongſt the Principalls, Profeſſors, Regents and other members of the ſaid Univerſity, The particular localities of the ſaids Fewmailles, fewfermes, Teynds, teynd duties and annuallrents particularly mentioned in the ſaid mortification, At leaſt ſo much thereof as is neceſſary for making up a Thouſand pound ſterling contained in the said mortification (accounting the bolls of victuall at the price agreed upon by the Committee appointed by his Majeſty, And allowed by his Majeſty himſelf and Parliament at the ingiving of the report, and paſsing of the ſaid gift) That every one of the ſaid Colledges having their own proper locality, Their own rents may be uplifted by their own Oeconomus appointing alſo that the ſaid diſtribution bee made with relation to the preſent caſe and condition of the old Rents, of each of the Colledges, as alſo that every Colledge may have by the diviſion (their whole old Rents being conſidered) as near as may be alike in victuall and money, Conform to their ſeverall proportions as is ſet down in the ſaid Report. With Power alſo to the ſaid Commiſsioners or quorum foreſaid To order the courſe of the ſtudies of the youth and publick profeſsions, And to rectifie what is amiſſe for the better breeding of the youth in piety and learning, and advancement of the Publick good of this Kingdom and Church, And to uſe and exerciſe all other things neceſſary in the premiſſes that to the office of Commiſsioners as in ſuch caſes by the Law and conſuetude of this Realm are known to pertain, ſiclike and als freely in all reſpects as any others his Majeſties Commiſsioners in ſuch caſes or affaires might have lawfully done at any time by-gone, or in time comming. And this preſent Commiſsion ſhall endure aye, and while the ſamen ſhall bee diſcharged by the Parliament or Convention of Eſtates.

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[LETTER frome the ꝑmiſſ^{rs} at Londone To the plia^{t}

FOR the most honob^{te}: the Lords and the Comñ^{rs} of Shyres and Burroughes aſsembled in the Parlt of Scotland at Edinbrugh

May it please yor Lo^{s}

VPON thursday Last, the Comons paſsed these votes inclosed; declareing the people, vnder God, to be the Originall of all juſt power; themselves to be the Supreeme authority of this Nation; And that they alone, have power to make Lawes, though the King & Lords conſent not therevnto. Vpon fryday, the Ordinance for triall of the King, was ingroſsed; And Order was given to cōmitt him cloſse prisoner. Wherefore, being certainely informed, that vpon Saturnday it was to paſse as an act of Parlt; And likewise takeing into conſideration the manyfest dangers to Religion, the priviledges of Parl^{t}, and fundamentall constitution of the governement of this Kingdome, Wee found that wee could not ansuere yor Lōps expectation, and the trust reposed in vs, if wee should be longer silent: And in purſuance of our Cōmiſsion & Instructions; wee delivered this Letter to the Serjant of the house, at the doore, about 12 of the cloke, it being about that tyme, before they were a quorum. After the Serjeant had delivered our letter, to the Speaker; hee was sent to enquire; if the Letter was to the Speaker only, or to be cōmunicated to the house, And wee ans^{d} it was to be cōmunicated to the house; Yet notwithstanding, it was layed aside, & not read: and they proceeded in the bussines concerneing the King, and

paſsed the Cōmiſsion for his triall, in the nature of an Act of Parlt, the substance whereof, is the ſame with the ordinance whereof wee sent a copy the laſt weeke. Yesterday, the Generall [Lieu^{t}] Generall, & others of that Cōmiſsion, mett at the painted Chamber . . . . . late; What they did, wee know not further then that this day, when wee were in Westminster Hall, there came into the Hall, some Trumpeters & horſemen, with a Herald, and made a Proclamation, the summe whereof was; That by vertue of an act of Parlt of the Comons of England, a Cōmiſsion was given for triall of CHARLES STEWART, King of ENGLAND; and that the Comm^{rs} were to meete for that purpose to morrow, at one of the Cloke in the afternoone, at the painted Chamber. The end of that Proclamation, as is conceived, was to invite all Men to bring in to those Comm^{rs}, what they have to ſay againſt the King. Whither hee is to be brought hither, Or they are to send some to Windsor to him, Wee know not; but many think they will proceede with expedition.

IN the Letter wch wee have given in to the present house of Comons, Wee have only related the matter of fact, touching the late proceidings, without declareing any opinion therevpon. Concerneing Religion, we have expreſsed the desires of the Kingdome of Scotland, and given a testimony against Toleration; And anent the King, wee have proceeded vpon the grounds contained in the Declaration of the Parlt of Scotland of the 16th of Januarij 1647, And the declaration of both houses, when hee came from Newcastle to Holdenby; wch wee did the rather mention, at this tyme, becauſe it is frequently objected, That the Kingdome of Scotland did part with the King, without any conditions. Wee have ſent yor Lo^{p} the reaſons of the Counsell of Warre, for secureing & secludeing the Members of Parlt; which is all wee have to ſay, for the preſent; but that wee dayly waite yor Lo^{ps} speedy directions; And ſo remaine

Your Lo^{p} moſt humble Servants
Covent garden the 9th day of Januarij 1649
Lothian
Jo: Cheiſlie
W Glendonyng

16 Jan^{rij} 1649

Producit be the Lord Chancello^{r} and Red in audience of [the parliament]

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[LETTER from the Commiſsioners at London to the house of Comons

SIR.

THE Comittee of Estates of the Kingdome of Scotland, vnderstanding, that the hon^{ble} houſes of Parlt, were proceeding in a Treaty for peace, with his Matie / did about the beginning of the last moneth, authorize vs to present Propoſitions to his Matie / And particularlie to deall with him, & the hono^{ble}: houses; ffor eſtabliſhing the Covenant and Presbyteriall Governement, the Confeſsion of faith, Directory for worship, & Catechiſme; ffor preventing the Toleration of Idolatry, Popery, Prelacy, Superstition, blaſphemy, hæreſy and Schisme; And for perfecting the great work of reformation & Vniformity, according to the Covenant: the substance whereof, hath beine formerly cōmunicated in a letter from the Comittee of Eſtates to both houſes; and by one of our number, vpon his reception at the Com^{tee} / of Derbyhouse, by order from the houses of Parlt. But to our great greefe wee doe perceive; That the distractions of this Kingdome are, beyond our expectation, growne exceedeing high; That a force hath beine placed on the paſsages to the houses; w^{ch}, dureing transactions of higheſt concernem^{t}, hath imprisoned and secluded a great Number of Members of Parlt; And given occasion to many others to withdraw, becauſe they finde they cannot act, as in a free Parlt; That applications are made to yow, for proceeding againſt the King, to take away his life, And for chang ing the governem^{t} of this Kingdome; And ſtrong endeavours are vsed, to overturne the whole work of reformation, to cast off the Ministery, and introduce a toleration of all Religions and formes of worship; And so in effect, to destroy the cause wherein both Nations have beine engaged; And frustrat all the ends of the Solemne League & Covenant, wch both Kingdomes have Sworne with vplifted hands to almighty God, sincerely, really, & constantly to performe. The Consideration of these things doth exceidingly trouble vs, and fill our hearts with feares; That, as they are for the present, matter of great provocation of the wrath of God against vs, diſhonourable to his Name, and a reproach to Religion; So, if perſisted in, that they shall greatly weaken & divide vs amongst our ſelves; Vnite forraigne Enemyes against vs; advance the Popish intereſt; Loose Ireland; And, in end, prove destructive to the reformed Religion, & to the peace & happineſse of these Kingdomes.

IN the yeare 1640, when these Kingdomes were oppreſsed vnder the yoke and tirranny of the Prelats, who then were farre advanced in the designe, to introduce Popery, The Kingdome of Scotland did joyne their endeavo^{rs} with this Kingdome, to procure a free Parlt here, Lookeing vpon it, as the cheiſe meane, by the bleſsing of God, to give a check to the designes of the Prelats, who were studying the change of Religion; And to the interpriſes of evill Councello^{rs} about the King, who were endeavo^{ring} to Eſtabliſh an arbitrary & tirrannicall governm^{t}. And afterward, when through the power & prevalency of Papists, Prelats, & Malignants, this Kingdome was diſtreſsed, the King-

dome of Scotland did enter into a Solemne League & Covenant, with this Nation: ffor reformation and defence of Religion, the honour and happines of the King, and the peace & safety of the three Kingdomes; And particularly, for bringing the Churches of God therein, to the neerest conjunction & vniformity in Religion, Confeſsion of faith, forme of Church government, Directory for worship, And Catechiſeing: ffor extirpation of Popery, Prelacy, Superstition, hæresy, Schisme, Profannes, and whatsoever shalbe found contrary to sound doctrine: ffor mutuall preservation of the rights & priviledges of the Parlts, & libertyes of the Kingdomes: ffor diſcovering of Incendiaryes, Malignants, and Evill Instruments, that hinder reformation of Religion, divide the King from his people, or one of the kingdomes from another; Or make any faction or party among the people, contrary to this League and Covenant, that they might be brought to publict triall & puniſhment: ffor preserveing peace & vnion betuixt the Kingdomes, and defending one another in this Cauſe; and continueing therein all the dayes of our lives, zealously & constantly, against all oppoſition; And for promoteing the ſame, according to our power, against all Letts & impediments whatsoever.

IN purſuance of the Solemne League & Covenant, both houses of Parlt have often declared, that they will establiſh the reformation of Religion; Extirpat Popery & Prelacy, And suppreſse hæreſy & Schisme; And that they will mantaine the foundamentall governm^{t} of this Kingdome, by King, Lords, & Comons: And when the Cõmoun Enemy being subdued, the Scottish Army was to goe out of this Kingdome, in the beginning of the yeare 1647, And his Matie / by conſent of both Kingdomes, was to come to Holdenby; The houſes of Parlt did declare, both to the King & to the Kingdome of Scotland, That reſpect should be had to the safety & preservation of his Maties / person, In the preservation & defence of the true Religion and Libertyes of the Kingdomes, according to the Covenant; And when the King should be at Holdenby, and the Scottish forces gone out of this Kingdome, that they would joyne with the Kingdome of Scotland, in imploying their best endeavo^{r}, to procure his Maties / aſſent to the Propoſitions agreed on by both Kingdomes; And in caſe the King should not give his aſsent therevnto, that the two houses are still resolved to mantaine the happy Vnion already setled betweene the two Kingdomes, according to the Covenant & Treatyes. The Parlt of Scotland, did at the same tyme alſo, publiſh a declaration of their intentions (whereof one copy was delivered to his Matie / and another to the houses of Parlt) That in the interim (vntill his Matie / should give satiſfaction to both Kingdomes in the Propositions of Peace) there should be no harme, prejudice, injury, or violence done to his royall person; That there should be no change of governm^{t}, other then had beine for the yeares preceiding; And that his Posterity should be no wayes prejudiced in their lawfull Succeſſion to the Crowne and Governement of these Kingdomes.

THESE being the engagements of both Kingdomes joyntly together, and severally one to another, for the ends aforesaid, Wee hold it our duety to endeavour, That Reformation of Religion be setled & establiſhed, as is before expreſsed; And especially, that the toleration of Idolatry, Popery, blasphemy, hæresy, and Schisme, bee prevented; least wee partake in other mens Sinnes, and thereby be in danger to receive of their plagues; That the rights & priviledges of Parlt may be preserved; That there may bee no change of the foundamentall governement; And that there be no harme injury, or violence offred to his Maties / person, the very thought whereof the Kingdome of Scotland hath alwayes abhorred, as may appeare by all their proceedings & Declarations: And the houses of Parlt have vpon severall occasions, expreſsed a detestation thereof in their Declarations.

WHEREFORE Wee doe expect, that there shalbe no proceeding against his person, which cannot but continue and encrease the great distractions of these Kingdomes, And involve vs in many difficultyes, miſeryes, and confuſions: But that by the free Councells of both houſes of the Parlt of England, and with the advice & consent of the Parlt of Scotland (wch is now sitting) such course may be taken, in relation to him, As may be for the good & happineſse of these Kingdomes, both haveing an vnquestionable interest therein. Wee are

6th Januarij 164$\frac{2}{3}$ Your affectionat friends and Servants.

Sic ſubſcribitur / Lothian

ffor the hono^{ble}: Willm Lenthall Esqr Speaker of the house of Comons. Jo. Cheiſly. Willm Glendoning

16 Ja^{rij} / 1649.

Producit be the Lo / Chancello^{r} and Red in audience of the par^{t}]

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XVIII JANUARII.

ACT containing the Return of the Eſtates of Parliament upon the Teſtimony communicated unto them by the Commiſsioners of the Generall Aſſembly, and their concurrance with the ſame.

THE Eſtates of Parliament preſently conveened, 16
Takeing to their moſt ſerious conſideration, The Seaſonable Teſtimony againſt Toleration, and the

preſent proceeding of Sectaries and their abettors in England in reference to Religion and Government, with an admonition and exhortation to their brethren there from the Commiſsioners of the Generall Aſſembly of the Kirk of Scotland, communicated unto them by you, And pondring the preſent ſad and ſtrange condition of affairs in their neighbour Kingdom of England repreſented therein, and in ſeverall other papers come to their knowledge, They do return unto you their hearty thanks, both for your good correſpondence (which this Parliament will with all cheerfulneſſe entertain) And for your great care and faithfulneſſe in giving ſuch neceſſary and ſeaſonable warnings and teſtimonies againſt the dangers of the times on all hands at all occaſions, And do heartily concur in the grounds thereof againſt Toleration and the preſent proceedings of Sectaries in England, in Reference to Religion and Government, and in the admonitions and encouragements ſo fully expreſt in the ſaid paper, and do moſt willingly adde this our Teſtimony thereunto, That our Brethren of England may be the more moved by the mouth of two witneſſes, and eſpecially ſuch as together with them ſtand and fall, and are covenanted with them for mutuall good, To lay theſe things to heart, and to abſtain from all ſuch ſinfull and dangerous courſes, and the faithfull not to faint under theſe afflictions, or to omit any neceſſary teſtimony or duty againſt the corruptions of the time, And becauſe there hath been ſeverall aſperſions publiſhed in printed pamphlets, for the ſtrengthening the hands of theſe who go on in theſe ſinfull wayes and for diſcouraging the hearts of theſe who are ſuffering under them, Therefore the Eſtates of Parliament after diligent enquiry at all the Members of this Court upon their publick and ſolemn oath both concerning themſelves and others, Do declare and can aſſure their Brethren at England, that they cannot find that either this Kingdom, or any perſon thereof had any knowledge of, or acceſsion to the late proceedings of the Engliſh Army in relation to the Kings perſon, or the Houſes and reſtrained members thereof, But are very confident there is no ground for ſuch aſperſions, on the other hand, So ſoon as this Parliament was conveened, and conſtituted, and heard of the preſent poſture of affairs, They being no wayes ſatisfied with their proceedings and the reaſons thereof publiſhed to the world, And being convinced of the dangerous conſequences thereof and calamities likely to follow thereupon, They did give preſent inſtructions to their Commiſsioners upon many reaſons founded on the obligations and declarations made between and by both Kingdoms (of which the matter of fact is fully expreſſed in the paper given in by our Commiſsioners on the ſixth of January inſtant, To the ſpeaker of the Houſe of Commons in our name and according to our mind, and herewith communicated to you,) to preſſe a delay of all theſe procedours againſt the Kings perſon, The Princes right of ſucceſsion, or the fundamentall government of the Kingdom, untill this Kingdom were heard to repreſent their intereſt and deſires, And in caſe of their refuſall, That they ſhould enter in the name of this Kingdom their diſſent and proteſt, That as this Nation is free from all knowledge of, and acceſsion to theſe deſignes and practiſes, So they may be free of all the calamities, miſeries and confuſions which may follow thereupon to theſe diſtracted Kingdoms, And as our conſtant reſolution and earneſt deſire to preſerve inviolably the peace and union between the Kingdoms, will evidently appear to any who will read (beſides all our former actions and ſufferings for it) our Act of approving the indiction of this preſent Parliament, & our Act of repealing all paſt in the laſt Parliament or Committee of Eſtates for the late unlawfull Engagement againſt England, And as ye are witneſſes of our keeping a ſolemn day of humiliation, not only for our own ſins and miſeries, But alſo for the ſins and diſtreſſes lying on our dear Brethren and for ſeeking the Lords directions to us, That wee may know and perform all the duties which the Lord requires of us at ſuch a time, after ſuch judgments and deliverances on his part, ſuch an acknowledgment & renewed Covenant on our part, not only in relation to our own affairs at home, but alſo to what may concern Religion, King & Kingdoms, according to the ſolemn League & Covenant in theſe united Nations; So We with Gods aſsiſtance Declare that it is our conſtant reſolutions, to give all ſeaſonable Teſtimonies, and doe all neceſſary duties within our power & calling, for the preſervation of the begun Reformation againſt Toleration of all Religion, and of the fundamental government againſt Anarchy and confuſion, And for continuing and preſerving the peace and union between theſe Kingdoms, and all the bands thereof, ſo often acknowledged and expreſſed in their Treaties, eſpecially one King, one Covenant, one Religion, And for the obſervance of the manifold declarations emitted between and by both Kingdomes to the World, in the poſitive and neceſſary duties for purſuance of all the ends of the ſolemn League and Covenant. And to this effect we are and ſhall be moſt ready to deal and interpoſe in all earneſtneſſe and ſincerity of heart, and by all lawfull and neceſſary means with all whom it may concern, for ſetling Truth and Peace in theſe Kingdoms, upon the grounds and propoſitions ſo often agreed unto, and ſo long inſiſted upon by theſe two Nations, and upon what further ſhall be found ſafe and neceſſary for the removing of theſe diſtempers, and preventing new iſſues of blood, Calamities and Confuſions in theſe Kingdoms, which the Searcher of hearts knoweth to be the earneſt deſire, and firm reſolution of this Court and Kingdom.

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17 WARRAND to Sir William Scot Clerk of Parliament, to subscrive extracts and Acts thereof.

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18 OATH of the Members of Parliament, anent their knowledge of, or accession to the late proceeding of the English Army in relation to the King or Houses of the Parliament of England.

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[THE returne of the estates of parliament upon the testimony communicated unto them by the Commissioners of the generall assembly and their concurrence with the same]

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[JOHN Dikſone of Hairtrie his depoſi°unes

Ed^r 18 Januar 1649.

JOHNE dikſone of hairtrie Being called in, in face of parliament and þ^r ſolemnlie ſworne to depone vpone the querees efterſpēit produced be the erle of Caſsillis Depones concerneing the firſt queere viȝ Iff he wes at a cōmittee or meeting for advanceing James grahames rebellion or ſervice That he wes at na Cōmittee or meeting for advanceing þ^r of Bot declaires þ^t vpone the thrid day efter kilſyth being Monday The haill hereto^rꝰ and gentrie as he thinkꝰ of the ſrefdome of Peibles being conveened at peibles w^t þe erle of Traquair he wes preſent þ^r At what tyme The Erle haveing proponed ſundrie overtures to the ſchyre for the ſaifety þ^r of as he pretendit And haveing ſpeired the opiniones of 5 or 6. of the moſt conſiderable of the ſhyre Therefter he ſpeired the ſaid Johne dikſone his opinion wha diſsaproved theſe overtures except that anent the puting of þe ſchyre in a poſture of defenee Whervpone the erle ſaid this to the ſaid Johne Seing ȝe allow not thir overtures, what is your owne opinion, q^r vnto the ſaid Johne anſ^r red That þ^r ſould be ane randevouze keeped the morne in the ſ^r reffmure at 10 ho^rꝰ and that þe hereto^rꝰ and gentrie þ^n preſent ſould come thameſelves and bring the haill ſencible perſones to þ^t randevouze w^t þ^r beſt armes and ten dayes proviſioun And þ^t in þe meane tyme þ^r ſould be preſentlie ſent fra þe meeting ane to the weſt and ane vþ^r toward Ed^r to try where þ^r wes any forces togither for the countrey And þ^t theſe meſſ^rꝰ ſould returne to the randevouze That according to þ^r intelligence the ſchyre might marche ather eiſt or weſt to joyne with the Countrey as they might have moſt ſaifeſt acceſ. ITEM anent the ſecond queree viȝ what advyſe he gave for ſending out any to James grahames ſ^r vice Depones that he wes preſent at ane ſecond meiting at Stobo and þ^t þe numberis of ſenceible perſones of þe ſchyre being þ^r red IT wes deſyred be the erle of Traquair That ſome companies and troupes of horſe and foote might be ſent out be the ſchyre for James grahames ſ^r vice q^r anent his opinion being ſpeired he anſ^r red That nane ſould goe out to James grahame Bot that the hereto^rꝰ ſould goe themſelves for ſaifeing of the ſchyre frome þe pñt danger and ſhew James grahame þ^t they were not to oppoſe him Bot declares þ^t he neþ^r meaned nor gave advyce that they ſould joyne w^t him And this meeting he keeped baith for ſaifeing of þe ſhyre and himſelff and preſerveing of þe recordis of parliament and of þe proces proba°un and ſentences of forfalto^r againes James grahame and his adherentis qlkꝰ were than in his hous of hairtrie, & he being vrged to goe out himſelff w^t the hereto^rꝰ & inſtantlie inſiſtit w^t be ſ^r michaell naſmith & deſyred be þe erle of traq^r for þ^t effect The ſd Johne abſolutlie refuiſed to goe & ſwore þ^t he wald not goe do q^t they wald, ITEM depones anent his ſone þ^t he neþ^r gave him advyce nor directioune to goe out to joyne w^t James grahame nor w^t nane of þe hereto^rꝰ þ^t wald joyne w^t him Bot directit him to come bak on the morne q^lk he did and came to his hous of hairtrie The ſd Johne being þ^n in the hous of boighall w^t his wyff and famalie Bot his ſone remained þ^t night in hairtrie ⁊ went away þe morne þ^r efter the ſd Johne not haveing ſene him efter his returne nor ſpoken to him and he took w^t him ane horſe of Johne ramſayes w^t out his knowledge And declaires þ^t at his ſones firſt goeing out w^t þe hereto^rꝰ of þe ſhyre he gave to him · 7 or 8 · s̃ sterling. ITEM declaires þ^t he meanit be þe word not to oppoſe James grahame Nawayes þ^t þe hereto^rꝰ ſould anywayes joyne w^t him or aſſiſt him Bot þ^t be þ^t expreſsioune the ſchyre might be frie of the hazard miſcheefe and feare they than ſtood of James grahame and Iriſh rebellis. And this is þe treuth as he does remember & denyis the reſt

Johne dikſone w^t my hand

18. Ja^r 1649

The eſteatꝰ of plia^t haveing hard ⁊ ꝯſidderit the oathe above writtin They admitt Jo^n dickſone of heartrie To ſitt as a member of plia^t for the ſ^r refdome of peibilis In reſpect of the oathe foirſaid

LOUDOUN · Can^tt^rius I P D P.]

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ACT in favores of Johne Dickſone of heartrie.

AT EDINBURGH The Auchteine day of Januar 19
J^(m)vj^c and fourtie nyne ȝeirs FORSAMEIKLE as The Eſtaitts of Parliament vpon the thretteine day of Januar Inſtant vpon conſideration of The Quere offerred to them be the Erle of Caſſills viȝ Iff any perſon guiltie of the cryms In the ſecond claſ of the act of Claſſ might ſitt and vote In Parliament They than ffound That nane guiltie of þe cryms conteinit in the forſaid ſecund Claſſ might ſitt or vote In Parliament Whervpon The Erle of Caſſills deſyred

It might be moved To these members of Parliament sua guiltie That they sould remove themselffs till they wer cleared otherways He wold name them be thair names Vpon this Jo^n dicksone of Heartrie Cōmissionar for the shirreffdome of Peiblis vnderstanding that the Erle of Cassills was to question him as guiltie of þe crymes In the forsaid secund Class In all humilitie desyred the Parliament To Take to thair consideration þe decreitt of The Committee of process q^r in he is alreadie Cleared And not onlie ffred of Censure vpon the grounds conteinit in that decreitt Bot also therby ordainit To be gratified And That the Parliament had continuallie sensyne admittit and continewit him in his former service and trust In Parliament And That also he hes bein admitted in the last synode of Ed^r and vther kirke Judicatories Heirvpon the Parliament the day forsaid appointit Ane Cōmittee and gave them warrand to take the premiss In considera^on And Accordinglie to report thair opinion to the parliament Quhilk report being producit In writt vnder the hand of þe president of þat Cōmittee vpon the fyftene day of Januar Instant And Than read In Audience of þe Parliament THEY ORDAINIT The said Jo^n dicksone his declara^on vpon oath to be tane In face of parlia^t vpon sic Introgators As sould be presented and given In be any member of Parlia^t Quhilk being this day of new againe moved in parlia^t The Erle of Cassills producit ane paper conteining sic Interrogators as he desyred the said Jo^n dicksone To be Introgat vpon And to declair vpon oath AND these being read and considderit be the parlia^t THEY thervpon called In the said Jo^n dicksone In faice of Parliament And took him solemnlie sworne to declair Quhilke he accordinglie did being punctuallie Interrogat AND NOW The Estaitts of Parlia^t Haveing heard and considderit his oath and declaration with the forsaid decreitt of þe cōmittee of process And ratifica^on of the Parlia^t In march 1647 ratifieing þe proceidings of þat Committee Togiddar with þe said Jo^n dicksone his carriage and grounds quhairvpon the decreitt of the cōmittee of process was grantit and remanent premiss forsaids concerneing him THEY eftir full debaitt þ^r anent and voiceing FAND That þe said Jo^n dicksone of hartrie sould be admittit to sitt and vote In Parlia^t as cōmissionar for þe shirrefdō of Peiblis And therfoire they doe heirby Admitt him to sitt and vote as ane memb^r of Parlia^t conforme to his cōmission produced and oath of parliament alreadie tane be him as not guiltie of þe crymes conteinit in the secund class of þe forsaid Act of Class Quhairvpon the president of Parliament Pronouncit to the said Jo^n dicksone the determination of Parliament aforsaid and ordainit him to sitt downe In Parliament as ane member thairof

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ACT in favours of the Lord Ross.

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ACT anent the citation of these who falls under the Act of Classes. 21

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ACT discharging the Transportation of Victuall. 22

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DISPENSATION for inferiour Judicatures to sit, notwithstanding the sitting of the Parliament. 23

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XXIII JANUARII.

THE Act of Classes for purging the Judicatories, and other places of publick trust.

AT Edinburgh the twenty third day of January 1649. years. The Estates of Parliament presently conveened, in this second Session of the second Triennall Parliament, By vertue of an Act of the Committee of Estates, who had power and authority from the last Parliament for conveening the Parliament; Considering, That forsameikle as the late Committee of Estates did in the indiction of the Parliament by their Act of the 27. of October last, declare and warn, as after follows, To wit, that whereas the corruption of Judicatories of this Kingdom and Officers of Estate, and others persons in publick trust, have been the cause and fountain from whence our former evil hath proceeded. And whereas by our Solemn Acknowledgment agreed upon by Church and State, We are bound to God, by our Engagement to England we are bound to them, and by the forecited and publict Declaration, we are obliged before the World, to indeavour the purgation and reformation of our Judicatories and places of publick trust: And forasmuch as the foresaids Persons, and all who are in publick trust are liable to the judgement and censure of Parliament for their procedure in their severall places and Offices, Likeas by the Agreement at Edinburgh and Striviling all such as have been imployed in publick place and trust, and have been accessory to the late unlawful Engagement should forbear the exercises of their places in the mean time; and all Questions are referred to the Determination of the Parliament: And whereas by the said Treaty, all these who have been accessory to the said Engagement are challengeable for their said accession, at the least in so far as concerns their places and publick trust, and the debarring of them from any of these. Therefore the Committee of Estates doth hereby warne and cite all and every one of these who exercised any office, place, or publick trust, or who were Members, or 24

Clerks of any publick Judicatories, of whatſoever degree, quality, or condition ſoever, in Burgh or land within this Kingdom, and hath been acceſſory to the late Engagement, or are guilty of the faults mentioned in the Printed Acts of the twenty two of September, and fourth of October, To compeir before the Eſtates of Parliament at Edinburgh on the 4. day of January next to come in a peaceable way, accompanied only with their own domeſtick Servants, to hear and ſee the Parliament take ſuch courſe, as they in their Juſtice and Wiſdom for the good of the Kingdom ſhall think fit, for purging of the Judicatories, and for declaring their places vacand, and filling them with ſuch as are able and qualified perſons, fitteſt for the ſervice, and may give moſt contentment, and as have continued conſtant in the Covenant and Cauſe in the time of tryall, And for debarring them (who are put out) from any publick places, or truſt, during ſuch time, and in ſuch manner, as the Eſtates of Parliament ſhall think fit, With certification to every one of the perſons concerned as is aboveſaid, and warned by this publick Proclamation, (which the Committee of Eſtates declares, That they finde it a ſufficient intimation in this noture caſe of ſo great and publick a back-ſliding to all perſons concerned therein for the effect foreſaid, to be eſteemed by them equivalent to a perſonall citation, or at their dwelling houſe upon particular ſummonds againſt every one of them) to compeir before the Eſtates of Parliament as is before ſaid and compeir not, That then the Eſtates will proceed both to determine the generall queſtion and the particular concerning their places and truſt, and take what farther courſe, they ſhall think fitting for the good of the Kingdom: And forſameikle, as the Eſtates of Parliament beeing now conveened have ratified the foreſaid Act in all the heads thereof, and by open Proclamation intimate the ſame; Likeas they have made their ſolemn Acknowledgement of the publick ſins and breaches of the Covenant, and their ſolemn Ingagement to all the duties contained therein, namely theſe which do in a more ſpeciall way relate to the dangers of theſe times; And in relation thereto have renewed their Solemn League and Covenant before God: And by their Act of the 16. of January inſtant, have diſclaimed and condemned the late unlawfull Engagement, as contrary to GODS Word, and a manifeſt breach of Covenant and Treaties, as deſtructive to the cauſe and Covenant, to Religion, the King and theſe Kingdoms: And is the cauſe of all the oppreſſions & miſeries that hath followed or may follow thereupon: and therefore, and for many other reaſons, Have annulled and repealed all Acts made by the late Parliament and Committee of Eſtates in proſecution thereof, and have ratified and approven the Proteſtation in Parliament & oppoſition thereafter made by this Kingdom againſt the Authors and Abettors thereof, and the late Treaty made at Stirling, debarring all acceſſory to that unlawfull Engagement from the exerciſe of their places or publick truſt, untill the meeting & determination of this preſent Parliament, unto whom all Civill queſtions are referred: And likewiſe hath confirmed the aſſurance given by the committee unto the Kingdom of England that we ſhould not admit any of theſe authors or abettors of the late Engagement to any publick place or truſt without the conſent of that Kingdom againſt which their Engagement was, as is more fully expreſt in their Anſwer of the 6. of October laſt. And whereas the Eſtates of Parliament, are not only ſatisfied of the truth, lawfulneſs and neceſsity of the foreſaid grounds, but alſo are convinced in their conſciences from the Word of God, from the large treaty between the Kingdoms, and from their Oath of Parliament, from their ſolemn League and Covenant, eſpecially from the 2. 4. and 5. Articles thereof, and from ſad and dear-bought experience, That the Malignant dealing of ſome, and the profane looſe walking of others who have been Members of Judicatories, and imployed in places of power and publick truſt, hath been a chief cauſe of all the evils both of ſin and puniſhment under which the land now groans; And that the Lord requires in his Word, that thoſe who judge and bear charge among his people ſhould not only be able men, but ſuch as fear God, hate covetouſneſs, and deal truly. And that it is of ſpeciall importance for the remedie of all our evils, and for ſecuring and advancing of Religion & Righteouſneſs, for keeping a right underſtanding between the Kingdoms, and for proſecuting all the ends of the Solemn League and Covenant, and for removing the judgement of God, and preventing or diſappointing all the deſigns and oppoſition of enemies of all ſorts, and for procuring the bleſsing of God upon the whole Land, That men not only of known ability, but alſo of approven integrity and conſtant affection to the Cauſe & good and Chriſtian converſation, be intruſted in all Judicatories and places of power and truſt, according to the ſeventh deſire of the Commiſsioners of the Church given in to the laſt Parliament, as ſo abſolutely neceſſary for the ſecuring of Religion, which by the Engagers themſelves in the Treaty at Stirling is ſubmitted to the Church their determination. Which determination anent the qualifications aforeſaids is clearly ſet down in the 5. 6. 7. 10. and 12. pages of the Acknowledgement and their Declaration emitted to the world.

THEREFORE the Eſtates of Parliament remembering well the laudable precedents of the Parliaments, 1641. and 1646. and ſeverall others for purgation of the Judicatories and places of truſt; And conſidering that all perſons both by the common Law, by many Acts of Parliament, and the nature of their place and truſt, are comptable for their proceedings in their ſeverall places and truſt, which

they have ad vitam aut culpam: And pondering how great a fault it is to have had any hand or acceſsion in the enacting, or inforcing, or proſecuting ſo unlawfull an Engagement, thereby drawing on the Land (ſo far as they could) the wrath of God, and all the miſeries of a War with our Brethren of England, againſt Covenant, Treaties, & many warnings from the Kirk, and contrary to the Petitions from many Synods, Presbyteries and Shires, and the ſolemn Proteſtations of ſo great a number of each Eſtate in Parliament: They do in purſuance of their ſolemn Acknowledgment, performance of their vows to God, Declaration emitted to the World, and aſſurance given to the Kingdom of England, both in the large Treaty, 1641. and late Anſwer 6. of October laſt, and for ſatisfying of the Kirks juſt deſires for Purgation and Reformation of our judicatories, and for determination of this queſtion anent places of truſt, referred by the Treaty at Stirling to their determination, and for deterring all others in this or ſubſequent generation, who ſhall be intruſted with publick power or place from drawing on this nation the guiltineſſe and miſery of ane offenſive unneceſſary and unlawfull war, and againſt Covenant and Treaties, and publick warnings from Church judicatories and Shires, and for incouraging all who ſhall be in publick place or truſt in times of new ſtraits and trials; To abide conſtantly by the Cauſe and Covenant, and to give evident teſtimonies thereunto againſt all defection and apoſtacie. The Eſtates of Parliament upon this and many other great and weighty conſiderations moving and preſsing them to this neceſſarie dutie, Do therefore Declare, Enact and Ordain, that all theſe Officers of Eſtate, Members or Clerks of the Parliament, Committees thereof, ſecret Counſel, Seſsion, Exchequer, Juſtice courts, Commiſsion for plantation of Kirks, or conſervation of the Peace, Sheriff Courts, Stewart Courts, Baillie Courts, Commiſſar Courts, Bailies of Regalitie Courts, Warden Courts, of his Majeſties Minthouſe, Admirall Court, Gild Court, Town Counſell, or any other publick Judicatorie, or Deacons of Crafts, and all who had any office, place or publick truſt, and all having deputation from, or dependance upon any of theſe aforeſaid, who were guilty of any of the faults contained in the four ſeverall Claſſes aftermentioned, ſhall be removed and ſecluded from publick truſt according to the ſeveral rules reſpective after following.

The firſt Claſſe.

THE Eſtates declare all theſe to be comprehended in the firſt Claſſe, who were General Officers, which led & accompanied the Army into England; And all thoſe Officers that continued in the Engagement, who commanded the Forces at Mauchlein moore, or at Striviling, and all thoſe who were principally active in perſuading, or bringing over of the Forces from Ireland, and all theſe perſons who were plotters, chief actors and prime promoters of the late unlawfull Engagement from the beginning to the end thereof, in Parliament, Committees, or otherwayes: and ſiclike all theſe who were chief actors and prime promoters of the horrid Rebellion of James Grahame, & who ſince have either accepted of charge or joyned as voluntiers in the ſaid unlawful Engagement, or taken the Oath in Committees, or Subſcribed the Band for themſelves or others for the Engagement, or ſate in the Committees or other meetings, and gave order for proſecuting the ſaid Engagement, or who otherwayes gave or received, and execute orders againſt others for proſecuting the Engagement; As alſo ſuch Clerks of Parliament, Committees thereof, ſecret Councell or Seſsion, who were guiltie of any of the Faults contained in any of the Claſſes at St. Andrews, and retaining their former Principles of Malignancie, and have been Active in their places or imployments for promoving the late unlawfull Engagement.

The ſecond Claſſe.

THE Eſtates alſo Declare all theſe to be comprehended in the ſecond Claſſe, who not being included in the firſt Claſſe, have been formerly Claſſed or Cenſured for Malignancie, or guilty of the crimes contained in the firſt and ſecond Claſſes at St. Andrews of the date at St. Andrews the day of one thouſand ſix hundred and years; And ſince have either accepted of charge or joyned as voluntiers in the ſaid unlawful Engagement, or taken the Oath in Committees, or ſubſcribed the bond for themſelves or others for the Engagement, or ſat in Committees or other meetings, and gave order for proſecuting the ſaid Engagement, or who otherwayes gave or received and execute Orders againſt others for proſecuting the Engagement; And ſiclike all thoſe perſons, although not formerly Claſſed, and not being included in the firſt Claſſe, who were Officers which were upon any of the expeditions into England or Scotland for the ſaid Engagement; And ſiclike all theſe who concurred in Petitions, Proteſtations, Remonſtrances or letters, for moving of the Parliament or Committees to carrie on the Engagement; and ſiclike all theſe who proteſted againſt the cauſe of the faſt, or the Kirks Declarations, or Petitions of the Presbyteries or Kirk-ſeſsions againſt the Engagement, or read, or cauſed read at Kirk doors the Committees Obſervations againſt the Aſſemblies Declaration, or interrupted Divine Service, or Magiſtrates and perſons of qualitie, or who removed at the reading of the Aſſemblies Declaration; ſiclike all theſe who not only tooke the Oath injoyned by the laſt Parliament for the Engagement in Committees, or ſubſcribed the band, or Declared themſelves ready to doe the ſame, but alſo ſecluded others, or proteſted againſt others for their not taking of the Oath, or not ſub-

ſcribing of the Band; ſiclike all theſe who injoyned and preſſed others to ſubſcribe the Band, or take the Oath for carrying on the Engagement; And ſiclike all theſe who concurred as Members or Clarks in Acts of Parliament and Committee of Eſtates for proſecuting the ſaid Engagement, or for preſſing others thereunto, and ſuch who conſulted and gave advice for penning or proſecuting of the proceſs againſt the honeſt Miniſters who were at Mauchlin moore, or any others for their oppoſing or not joyning in the Engagement.

The third Claſſe.

THE Eſtates likewiſe Declares all theſe to be comprehended in the third Claſſe who (not being included in the firſt or ſecond Claſſes) ſat in Parliament and Committee of Eſtates, and took the Oaths foreſaid for the Engagement, or ſat as Clerks in any of theſe or any other judicatories, and gave no publick teſtimonie againſt the ſaid Engagement, carried on therein by their ſervice, or were any way known to have been for the ſame in their judgement manifeſted by their expreſsions and actions; ſiclike all theſe perſons who have taken the Oath foreſaid, or ſubſcribed the Band for the Engagement, or who in Committees of war or other meetings, Town Counſel or other Courts, have refuſed or oppoſed the deſires of any petitions from Shires, Presbyteries, Seſſions or other Kirk Judicatories againſt the Engagement, or concurred in Acts to force the Diſſenters, Petitioners or others to concur in the firſt or ſecond leavies, or other acceſsion to the ſaid Engagement, or with the Forces under the Earl of Crauford, Earl of Lanerick and George Monro; and ſiclike all ſuch who were either forcers, urgers or ſeducers of others to concur in the ſaid Engagement, or with the foreſaid forces: And ſiclike all theſe who acceptit Commiſsions to be Officers, or joyned as voluntiers to the forces under the Duke of Hamilton or the Earls of Crauford, Lanerick or George Monro, Likeas all the perſones in truſt as is afoirſaid who in their ſpeeches and actions did evidence their judgements for, and affection to that ſinfull courſe, Or who (in ſuch a time of triall after ſuch Petitions from the Shires, and ſuch Declarations and warnings from the Church, evidencing to all the unlawfulneſſe of the Engagement againſt Covenant and Treatie) did not give any countenance to the cauſe or teſtimony of their judgement and affection againſt ſuch a defection and dangerous War, when and where they had the opportunitie to doe it with others.

The fourth Claſſe.

THE Eſtates of Parliament in like manner Declares all theſe to be comprehended in the fourth Claſſe, who being Members of judicatories, Clerks and perſons in publick truſt as aforeſaid, are given to uncleanneſſe, bribery, ſwearing, drunkenneſſe, or deceiving, or are otherways openly profane, and groſly ſcandulous in their converſation, or who neglect the Worſhip of God in their families.

THE Eſtates Declares, Enacts and ordains, that all ſuch Officers of Eſtate, Members of any Judicatory, Clerks and others before mentioned, and all perſons in publick place or truſt, who are guilty of any of the faults before ſpecified, contained in any of the four Claſſes before ſet down, be preſently removed (by this Parliament, or ſuch Committees or perſons as ſhalbe by them authoriſed with power to that effect,) from their preſent places and Offices, and all other publick truſt mentioned in the Act of Claſſes at St. Andrews, or which has deputation from, or dependance upon the forenamed Judicatories or officers (without prejudice of the ſuſpenſioun of them in the mean time fra the exerciſe of their places, conform to the Treaty and former Acts of Committee ratified in Parliament) and that theſe places belonging to them, ad vitam vel culpam be declared vacant, and filled with other perſons, who are known to be free of theſe faults, and not onely to have ſufficient ability, but alſo who have given reall proof of their conſtant affection to the Cauſe, and a good converſation; and that theſe who hereupon ſhall be removed from their places and offices, are hereby diſcharged from medling thereafter in any exerciſe, badge or benefit thereof, under the pain of confiſcation of their movables, life-rent of their eſtates, impriſonment of their perſons, and of being declared for ever uncapable of the meaneſt publick truſt within the Kingdom;

LIKEAS the Eſtates of Parliament, upon the manifold grounds aforeſaid, doth Declare, Enact and Ordain, That none of theſe perſons who are guilty of any of the crimes contained in the firſt Claſſe, ſhall ever be capable of, or admitted to any publick office, place or truſt aforementioned within this Kingdom during all the dayes of their lifetimes; Likeas they Declare, Enact and Ordain, That none of theſe who are guiltie of any of the crimes mentioned in the ſecond Claſſe, ſhall be capable of, or admitted to any publick office, place or truſt aforementioned within this Kingdom for ten years to come. And farther, untill they have given ſufficient evidence of their change of their Malignant principles and practices, and of their firm reſolution and affection to promove the Ends of the Covenant in all times of ſubſequent triall (whereof the Judicatories of the Church and State reſpectivè having power for that effect are to judge impartially, as in GODS fight) And thereby have given ſatisfaction to the Kirk and to both Kingdoms ſo far wranged by them, according to the aſſurance given on the ſixt of October laſt.

LIKEAS the Eſtates Declares, Enacts and Ordaines, That no perſon who is guilty of any of the faults

contained in the third Claſſe (excepting theſe as are after excepted) ſhall be capable of, or admitted to any publick place, office or truſt aforementioned within this Kingdom during five years to come, and farther, untill they have given ſufficient evidence of their change of their Malignant principles and practices, and of their firm reſolution and affection to promove the Ends of the Covenant in all times of ſubſequent triall (whereof the Judicatories of Church and State Reſpectivè having power for that effect, are to judge impartially as in the ſight of GOD) And thereby have given ſatisfaction to the Kirk and both Kingdoms ſo far wronged by them according to the aſſurance given on the ſixth of October laſt.

EXCEPTING theſe who before the time of the promoving of the Ingagement were known to have been honeſt in the Cauſe of God, and not Malignant, and who were known by their carriage to have been againſt the Engagement in their judgement, and did concur in Petitioning, diſſenting, proteſting, or riſing in Armes or otherwayes did bear teſtimony againſt it as they had opportunity, and who not knowing the nature and drift of the Band or Oath for the Engagement, were deceived and enſnared to the ſubſcribing or taking of the ſame, which perſons having the foreſaid qualifications, and giving ſatisfaction to the Kirk, are remitted to the next Seſsion of the Parliament, at which time according to their Repentance and carriage, they may be declared capable of publick places and truſt (ſo far as the Parliament ſhall think them fit.)

LIKEAS the Eſtates Declares, Enacts and Ordains, That no perſon guilty of any of the faults contained in the fourth Claſſe, ſhall be capable of, or admitted to any publick place or truſt aforementioned within this Kingdom for a yeer to come; And farther, untill they have given to the Judicatories of Church and State, reſpectivè, ſufficient evidence of their change of their profane and ſcandalous life, and of their firm reſolution and conſtant endeavour for a good and Chriſtian converſation (whereof the Judicatories of the Church and State ſhall judge impertially as in Gods ſight) And this without derogation to the former Laws made againſt the ſame.

LIKEAS it is hereby declared, That where any perſons are excluded by the former Claſſes from the exerciſe of their Heretable Offices, That during the time of their ſecluſion, theſe places ſhall be ſupplied by ſuch Deputes, as the Parliament, Committee of Eſtates, or others Authorized by Parliament ſhall appoint to ſerve therein for the interim.

IT is always hereby declared, That this preſent Act ſhall not be extended to theſe Minors who being guilty of any of the faults aforeſaid, ſhall within three moneths after the publication hereof, if they be within the Kingdom, and if they be without the Kingdom, within the ſame ſpace after their return to the Countrey, Give ſufficient evidence to the Judicatories of Church and State reſpectivè, having power for that effect of their Repentance, and of the change of their Malignant principles and practiſes, and of their firm reſolution and endeavour to promove the Ends of the Covenant in all times of ſubſequent tryals, and ſhall behave themſelves accordingly unto their majority, and who within ſix moneths after their majority ſhall ratifie the ſame.

IT is Declared, That this Act is without prejudice to what further cenſure the Eſtates ſhall think fit to inflict upon theſe who are guilty of the faults aforeſaid, and hath not by their due acceptance the benefit of the Treaty at Edinburgh and Stirling.

THE ſaids Eſtates Declares, That they reſerve to themſelves, the conſideration of ſuch perſons as may fall under the exception of the third Claſſe, and what ſhall be done concerning them in the Committees of War of the ſeverall Shires when the Committees ſhall be nominate: And the ſaids Eſtates Ordains the Act foreſaid to be publiſhed at the Mercat Croſſe of Edinburgh by an Herald, having diſplayed Armes by ſound of Trumpet, And thereafter Ordains the ſame to be Printed.

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[ADDITIONAL Inſtructions be the Parliament of Scotland to their Commiſsioners att London]

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XXIV JANUARII.

[REMITT to the Committee of diſpatches concerning the Cannon Armes āmunition and other Proviſion left in England

THE Eſtates of Parliament do remitt to the Cō-mittee of diſpatches to thinke on the beſt meanes how the Cannon Armes āmunition and other Proviſion left in England either in Carlile or Appleby belonging to this Kingdome may bee carried from thence and convoyed hither for the vſe of the Publict And likewiſe how the Cannon or other Artillerie belonging to this Kingdome for the preſent in Ireland may alſo bee tranſported from thence With power to them to take the moſt effectuall and expeditious courſe thairin as they ſhall thinke fitt And thairefter to make report to the Parliament.]

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XXV JANUARII.

ACT in favours of the Vniverſity of St. Andrews, anent the Rents of the Archbiſhoprick and Priory of St. Andrews.

25 THE Eſtates of Parliament, having taken to their conſideration a Supplication given in to them by the Commiſſioners of the Generall Aſſembly, deſiring that the Eſtates of Parliament would reſcind and Declare null, all gifts and ratifications (if any be) granted in prejudice of the Univerſity of St. Andrews of the excreſcence of the Rents of the Archbiſhoprick and Priory of St. Andrews to whatſomever perſon or perſons by and attour the ſum of one thouſand pounds ſterling, mortified to the ſaid Univerſity by his Majeſtie, in manner after-ſpecified; And that the Eſtates of Parliament would declare by their Act, that no gift be paſſed in time coming of that excreſcence to any perſon or perſons whatſomever, but only for pious uſes towards the maintenance of the Kirks and Univerſity of St. Andrews; As alſo that they would paſs an Act that no Rents mortified to Univerſities, Schools, or any other pious uſes, ſuffer any diminution by whatſomever manner of way in time coming, as the ſaid Supplication bears: And alſo conſidering that his Majeſtie by Act of Parliament dated the fifteenth day of November 1641. years, did with advice and conſent of the three Eſtates of Parliament, declare all gifts granted or to be granted by his Majeſtie to whatſomever perſon or perſons of the Teynds and Teynd-duties of whatſomever nature pertaining to any Biſhopricks within this Kingdom ſhould be null, except ſuch as were or ſhould be grantit for pious uſes, And excepting ſuch as were granted already by his Majeſtie to whatſomever perſon or perſons of their own Teynds, they and every one of them always being lyable to the quantitie conteined in the Act maid be the ꝓmiſſioune for plantatione of kirkis: And alſo that his Majeſtie did in the year of God 1642. out of his pious and Chriſtian inclination towards the Univerſity of St. Andrews found and mortifie in favours of the ſaid Vniverſity, the Rents of the late Archbiſhoprick and Priory of St. Andrews, conform to his Majeſties Charter of Mortification made thereupon, of the date the fifteenth day of January One thouſand ſix hundred and fourty two yeers, reſerving to his Majeſtie the excreſcence of the Rents of the ſaid Biſhoprick and Pryorie to be diſpoſed upon by his Majeſtie for pious uſes; Therefore the Eſtates of Parliament to the effect that the Vniverſities of this Kingdom, and eſpecially the Vniverſitie of St. Andrews be no wayes wronged or prejudged, and that no let nor impediment may be for hindering and impeding the full proviſion of the ſaid Vniverſity in all things neceſſary and expedient for promoving the advancement and flouriſhing of the ſame, Do ratifie and approve the foreſaid Act of Parliament in that clauſe thereof, whereby his Majeſtie did declare by the adviſe of the ſaids Eſtates of Parliament, That the Teynds and Teynd duties of all and whatſomever Kirks, Parſonage and Vicarrage thereof, and Teynds of whatſomever nature pertaining to the ſaids Biſhopricks ſhould be applied to the maintenance of the Miniſtry and of the Vniverſities and Colledges and other pious uſes, and to no other uſe: And declared all gifts granted or to be granted by his Majeſtie, to whatſomever perſon or perſons of the foreſaids Teynds and Teynd-duties or any part thereof except to the uſes foreſaid, to be null in the ſelf; Likeas the ſaids Eſtates of Parliament by thir preſents Declares all gifts granted or to be granted by his Majeſtie, to whatſomever perſon or perſons of the Rents of the foreſaids Archbiſhoprick and Pryorie of St. Andrews, or any part thereof, except to the uſes foreſaid towards the maintenance of the Kirks and Vniverſity of St. Andrews, to be null of themſelves, and of no force nor effect. And likeways the ſaids Eſtates of Parliament decrees and Ordains, That the hail Rents mortified to any Vniverſities, Schools, or any other pious uſes within this Kingdom, And in ſpeciall the haill Rents of the ſaid Vniverſitie of St. Andrews, as well pertaining to them of old as of new, mortified to them by the Kings Majeſtie, ſhall be uplifted by the Members of the ſaid Vniverſity, and their Factors and Chamberlains, according to the valuation of their Teynds already deduced or to be deduced before the Commiſsion for plantation of Kirks and valuation of Teynds, without any diminution thereof, either in quantity or quality or converſion of victuall in money, or any otherways whatſomever: And it is Declared, that notwithſtanding of the exception foreſaid, it ſhall be but prejudice to the Vniverſity of St. Andrews to quarrell any Rights made by his Majeſtie prout de jure, And that this Act is no Approbation thereof.

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ACT in favours of the Univerſity of Saint Androis, anent execution to follow upon ſentences to be given out by the Commiſſion appointed therefore.

THE ESTATES of parlt now pr̃ntly conveen'd 26
in this 2d Seſſion of this 2d Triennial parlt, Be virtue of an Act of the Committee of Estates who had power & Authoritie from þe laſt parlt for conveening þe parlt, CONSIDERING þt preceeding parlts have granted Several Commiſsions to certain psons for Viſitãon of þe Ur̃ſitie of S. Andrews, & likewiſe þt this pr̃nt parlt has granted an commiſsion for þt Effect. And als conſidering þt þe Acts, decreets, & ſentences done

& past by þe sds Coñrs appointed for Visitãon of þe sd Uñsitie have been & are þe more ineffectual, in respect no Execũon has followed therupon, THERFOR þe sds Estates of Parlt have ordain'd, & be þe tenour of this prñt Act Ordain, þe Lords of Council & Sefsion to grant & direct letters of Horning on an Simple Charge of ten days, upon all the Acts, decreets, & Sentences already done & past, or þt shall happen to be done & past in time coming be ony of the sds coñrs reñivè appointed or to be appointed at ony time hereafter for visitãon of þe sd Uñsitie of S. Andrews, or ony opr Uñsitie, to þe Effect þt þe sds Acts, Decreets, & Sentences already past at any time bygane, prñtly past, or þt shal happen to be past in ony time coming, may receive prñt Execũon agt all disobeyers of the Samine whatsomever, in manner foresd

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XXVI JANUARII.

ACT ratifying and containing the tenour of the Band for securing the Peace of the Kingdom, and enjoyning the same to be subscribed.

27 THE Estates of Parliament taking to their consideration the Acts and Precepts of the late Committee of Estates, for citing certain persons to give surety for the Peace of the Kingdom, according to the Band presented to them; And that severall persons accordingly were conveened before them, and did give satisfaction thereanent. They do therefore ratifie and approve the saids Acts, Precepts and Bands, and what hath followed thereupon; and now considering that it is necessary towards the setling and securing of the Peace of the Kingdom, that the like course be prosecute, they do therefore Appoint and Ordain Precepts to be issued out, for citing such persons as were upon the late Engagement, or others as they shall think expedient, to compeir before them or their Committees, having power for that effect, to give surety and to subscribe the Band and Declaration whereof the tenour followeth. Whereas I am conveened to finde surety for keeping of the Peace of the Kingdom, Therefore to testifie my ready obedience to that which is so just and reasonable, And to witness my desire to hinder & prevent any danger or disturbance which may arise to this Kingdom, and to clear my resolutions; I Declare, That I do acknowledge, the indiction, meeting and constitution, the lawfulness, freedom, and authority of the Parliament of this Kingdom, conveened on the fourth of January One thousand six hundred and fourty nine years; And that I shall not any manner of way call the same in question. And I the said As principall and as Cautioner and surety for me, faithfully binde and obliges us conjunctly and severally, and our heirs, That I the said shall neither directly nor indirectly, consult, or act in any thing tending to the deminution of the authority of the said Parliament, or of the Committees of Estates that shall be appointed by them for the publick affairs: And that I shall not rise in Armes, or in any hostile way oppose their proceedings, for the prosecution of the Cause and Covenant, or concur with, assist, keep intelligence or correspondence with any invaders of this Kingdom, or risers in Armes within the same, against the foresaid proceedings of the forementioned Parliament or Committees. And if I shall hear or know of any thing which may derogate from, or prejudge them in any sort, I shall as soon as I can possibly reveal the same to some of their own number to be communicated to the rest. And that I shall neither by my self, nor others by my knowledge or direction do, or suffer any thing to be done that I can let or hinder, which may disturb the present quiet or Peace of this Kingdom, or proceedings of these Judicatories as foresaid, or which may prosecute the said late Engagement and expedition into England, or break the Union betwixt the Kingdoms under the pain of Consenting these presents be Registrate in the books of Parliament, or of the Committee of Estates, that all execution, personall and reall may pass hereupon, which hath been Ordinary in the like cases, or which the Parliament or Committee shall think fit, and to that effect constitutes My Prr. promitten. de Rato, &c. Likeas, the Estates Ordains every Nobleman (being cited) to give the surety foresaid, And to finde Caution under the pain of an hundred thousand Merks, And every Barron of quality under the pain of fifty thousand Merks ad Minimum, and other persons according to their severall degrees and ability. With certification, that whosoever refuse or fail herein, shall be holden and estimate as enemies to, and disturbers of the Peace of the Kingdom; And to be proceeded against accordingly, as the Parliament or their Committees shall think fit.

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[REFERENCE to the Committee of Dispatches of the Letter from the Commissioners at London

THE Estates of Parliament doth referr to the Cõmittee of dispatches the letter from our Commissioners at London of the dait the twentie of Januarie instant with the Papers thair inclosed, And further remitts to the said Committee to thinke on the best and most effectuall meanes of securing the Peace of the Kingdome, With Power to them for that effect to secure the Persones and Houses

of thoſe that have been active in James Grahames rebellion, And in the late Ingagement againſt England, And have not ſubmitted to the Articles of agreement at Edinburgh and Stirling. And to cite befoir them all ſuch perſones as they thinke fitt for ſubſcribing the bond and declaration for keeping the Peace of the Countrie as is mentioned in the Act of Parliament of the dait heirof And the ſaid Committee is ordained to ſignifie and make report vnto the Parliament within fourtie eight Houres efter they have concluded ypon or acted anie thing in purſuance of the premiſſes, That the Parliament thairefter may take ſuch courſe as in thair wiſedome they ſhall thinke fitt.]

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XXVII JANUARII.

28 ACT in favours of the Lord Ochiltrie.

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XXX JANUARII.

ACT in favours of the Town of S. Androis for provision of a third minister

29 THE Estates of Parl[t] having taken into their Consideration an Supplication given in to them be the Town and Pariſh of S[t] Andrews, bearing That the Town and Pariſh of S[t] Andrews is so great and numerous, in Regard of the vaſt Bounds of the Landward lying about it, that it cannot be served, nor have the Gospel and Ordinance administred unto them without mae miniſters than two, and that now there is only maintainance for two ministers to the said vast Congregation, and als that the Kings Mã in Anno 1641 did by Advice of an Committee of Parlt appoint, that all the Cathedral Churches (as they were called) ſhould be provided with competent and ſufficient Stipends out of ther respective several Bps Rents, and amongst the rest did appoint that the Church of St Andrews should have an provision of a 100 lib Ster: for a third minister, payable out of the Biſhoprick and Priorie of S[t] Andrews, after that the Rents of the samen should exceed the sum of a 1000 lib Ster. mortified out of the said Bprick and Priorie of S[t] Andrews for the behoof of the University, and Therefore craving that the Parl[t] would interpose their Authority, and Declare by an Act, that the Church of S[t] Andrews shall be provided with the ſaid 100 lib Ster. yearly out of the first end of the Excreſcence of the Rents of the Bprick and Priorie above the 1000 lib mortified to the said University, as the said Supplication bears. And als considering that the saids Estates of Parlt be their Act of the date the 25th of Jan[y] 1649 years have declared all gifts granted or to be granted be his Majesty to whatsomever Person or Persons of the Rents of the said Archbpk and Priorie of S[t] Andrews or ony Part therof except to pious Uses towards the maintainance of Kirks and University of S[t] Andrews, to be null in themselves and of no Force nor Effect, as the said act more fully proports. And the Estates of Parlt finding that the members of the University of S[t] Andrews have not only been cited to hear the desire of the said supplication granted, but also that they gave warrand to M[r] Samuel Rutherfoord their Commiſsr sent be them [for] the Affairs of the said University before this present Parl[t], to Consent to the Desire of the said supplication. THEREFORE The saids Estates of Parlt with Consent of the members of the said University of S[t] Andrews in manner abovewritten, for the honour of God and for the Advancement of the Gospel within the said Town of S[t] Andrews, for the Provision of a third minister at the said Kirk of S[t] Andrews DO STATUTE AND ORDAIN that 1200 lib Scots monie be yearly payd to the Provost Bailies and Council of S[t] Andrews and to their Treasurer present and to come in all Time coming for to be a provision to a third minister at the said Kirk of St Andrews and that out of the first end of the Excreſcence of the Rents of the said Biſhoprick and Priorie of St Andrews above the sum of a 1000 lib Ster: yearly mortified be the Kings Mã to the said University in Anno 1642 PROVIDING always that this present Act made in Favours of the Kirk and Town of St Andrews shall na ways be prejudicial to the said mortification granted be the Kings Mã in favours of the said University, Nor to no act of Parl[t] granted heretofore in their favours (except allenarly in swa far as concerns the said sum of 1200 lib sc̃ monie forſaid to be paid yearly out of the first end of the Excreſcence of the saids Rents of the Bprick and Priorie in manner forsaid) after payment of the sum of 1000 lib Ster: mortified to the ſaid University as said is.

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ACT anent the taking of the Oathes of theſe liable in payment of the Exciſe. 30

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I FEBRUARII.

ACT againſt Conſulters with Devils and Familiar Spirits, and againſt Witches and Conſulters with them.

THE Eſtates of Parliament now conveened in the 31
ſecond Seſsion of this ſecond Triennall Parliament, Vnderſtanding that there are ſome perſons who conſult with Devils and Familiar Spirits, who notwithſtanding of the 73. Act of Queen Mary, Whereby it is ordained, that all Witches, Sorcerers, Ne-

cromancers, and Conſulters with them are to be puniſhed by death, do yet dreame to themſelves impunity, becauſe Conſulters are not expreſly mentioned in the ſaid Act, Do therefore for further clearing thereof, Declare and Ordain, that whatſoever perſon or perſons ſhall conſult with Devils or Familiar Spirits are liable to the pains contained in the ſaid Act, and ſhall be puniſhed by death: And the ſaids Eſtates, ratifies and approves all former Acts made againſt Witches, Sorcerers, Necromancers and Conſulters with them, in the whole Heads, Articles and Clauſes thereof.

ACT againſt Fornication.

32 THE Eſtates of Parliament taking in conſideration, that the Act made againſt Fornication in the firſt Parliament of King James the ſixth, whereby it is appointed, that ilk perſon that ſhall be Convict of Fornication, as well the man as the woman, ſhall pay for the firſt Fault, the ſum of fourty pounds is become in diſſuetude in many places of this Kingdom, and rendered ineffectuall, becauſe one and the ſame penalty is injoyned upon perſons of all ranks and quality, by which it comes to paſs that the foreſaid ſin doth exceedingly abound unto the diſhonour of GOD, and ſcandall of the Goſpel, Therefore for the better reſtraining and puniſhing thereof, It is Statute and Ordained, That whoſoever ſhall hereafter be convict of the ſin of Fornication, ſhall pay for the firſt Fault, ilk Nobleman four hundreth pounds, ilk Baron and Landed Gentleman two hundred pounds, ilk other Gentleman and Burgeſs one hundred pounds, ilk Farmer twenty five pounds, every other perſon of inferior quality ten pounds; And that theſe penalties ſhall be doubled toties quoties according to the relapſes, and the degrees of the offence and quality of the offenders; And that the ſaids penalties ſhall be exacted not onely of the man, but alſo of the woman according to her quality, and the degree of her offence, the one without prejudice of the other; And be delivered to the Kirk Seſsion of the Parochine where the offender lives, to be imployed by them upon pious uſes: And the Eſtates of Parliament doth ratifie the foreſaid Act of the firſt Parliament of King James the ſixth in all the other Heads and Clauſes thereof, Declaring always, that theſe things ſhall be without prejudice of the Cenſures of the Kirk.

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II FEBRUARII.

33 ORDINANCE for ane Solemn Faſt.

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III FEBRUARII.

ACT of Maintenance of the moneth of February.

THE Eſtates of Parliament, now preſently conveened in this ſecond Seſsion of the ſecond Triennall Parliament by vertue of an Act of the Committee of Eſtates, who had power and Authority from the laſt Parliament for conveening the Parliament, Conſidering the dangers now threatening Religion, the Covenant, and the peace of theſe Kingdoms, And that they are thereby neceſſitate to keep up the Forces within this Kingdom, and to provide for their entertainment; Have therefore thought fit to prorogate and continue the monethly Maintenance, as it was impoſed upon the ſaid Kingdom, by vertue of an Act of the Committee of Eſtates of the 3. of November laſt by-paſt 1648. years, for one moneth after the moneth of January contained in the former Act. Whilk moneth ſhall begin upon the firſt day of February inſtant, and continue till the firſt day of March next to come, with a deduction of the juſt third part of the ſaid monethly Maintenance, whilk was formerly eſtabliſhed, Swa that the ſaids Shires and Burghs ſhall be onely lyable in payment of the two part of the Maintenance formerly impoſed upon them for the ſaid moneth of February, Whilk two part ſhall be payed by them without any deduction or defalcation: And therefore Statutes and Ordains, That ilk Burgh and Shire within this Kingdom, are and ſhall be liable, and obliged in payment of the particular ſums of money underwritten for the ſaid moneth of February, And that betwixt and the 15. day of February inſtant, And Ordains the ſame to be payed, to Sir James Stewart, Proveſt of Edinburgh, Treaſurer of the Army, and Collector-Generall of the ſaid Maintenance, or his Deputies, or ſub-Collectors: And that the ſums to be paid by the ſeverall Shires and Burghs, be as follows: viz. 34

THE Sheriffdom of Orkney of monethly pay, 1143. Merks. Inuernes 4176. M. Caithnes 945. M. Cromartie 99. M. Sutherland 423. M. Nairne 315. M. Elgine 1890. M. Aberdeen 6543. M. Bamff 1481. M. Kincairdin 1566. M. Forfar 5004. M. Perth 8001. M. Fyfe 6642. M. Stirling 2538. m. Kinroſe 144. m. Clackmannan 522. m. Edinburgh 4167. m. Linlithgow 1746. m. Hadingtoun 3384. m. Berwick 3555. m. Roxburgh 5778. m. Selkirk 1278. m. Peebles 1638. m. Lanerk 5382. m. Air 6066. m. Wigtoun and Kirkcudbright 4374. m. Dumfreis 4446. m. Renfrew 2205. m. Dumbartan 1233. m. Argyle 2907. m. Bute 459. m. Follows the ſums payable monethly by the Burghs, conforme to their

taxt Roll: viz. Edinburgh 5175. m. Perth 810. m. Dundee 1200. m. Aberdeen 1260. m. Stirling 240. m. Linlithgow 324. m. St. Andrews 780. m. Glaſgow 1530. m. Air 342. m. Hadingtoun 324. m. Dayſert 270. m. Kirkaldie 600. m. Monroſe 324. m. Cowpar 216. m. Anſtruther eiſter 180. m. Dumfreis 270. m. Inuernes 450. m. Breichen 220. m. Irving 252. m. Elgine 135. m. Jedburgh 126. m. Kircudbright 180. m. Wigtoun 135. m. Pittinweyme 120. m. Dumfermling 162. m. Dumbartan 162. m. Renfrew 90. m. Lanerk 162. m. Aberbrothok 81. m. Bruntiland 216. m. Peibles 108. m. Craill 216. m. Kinghorne 108. m. Taine 90. m. Selkirk 126. m. Anſtruther weſter 54. m. Culroſe 90. m. Dumbar 180. m. Bamff 72. m. Whithorne 45. m. Forfar 27. m. Rotheſay 60. m. Forreſs 54. m. Rutherglen 45. m. North-berwick 36. m. Cullein 27. m. Nairne 36. m. Lawder 45. m. Inuerkeithing 90. m. Kilrynnie 27. m. Annan 30. m. Lochmaben 18. m. Sanquhair 27. m. Galloway 18. m. Dingwall 18. m. Queensferrie 108. m. Dornoch 18. m. For the better in-bringing and Collecting whereof, the ſaids Eſtates of Parliament, allows to the ſaid Sir James Stewart Deputies, one or more in each Shire and Paroch, in manner contained in the Act for the Taxt and Loan; Which Collectors and Deputies foreſaids and Clerks to be appointed by him, ſhall have ſuch Fee as is allowed in the Act of Loan and Taxt: The Burghs always being free of the aforeſaids Fees. And the Eſtates Ordains that the Letters and Charges to follow upon this Act for payment of the foreſaid Maintenance, ſhall be raiſed and direct at the inſtance of the ſaid Sir James Stewart and Collectors aforeſaid, againſt the ſub-Collectors of Shires, Magiſtrates of Burghs, Collectors of Paroches, Heritors, Fewers, Liferenters, and others adebtit in payment of their ſeveral proportions of this monethly Maintenance now impoſed, And with power to the ſaid Sir James Stewart, that if any Shire or Burgh be deficient in payment of their parts of this Maintenance, to imploy any Forces that ſhal happen to be upon the bounds for the time, or in the next neighbouring bounds adjacent thereto, for uplifting of the ſaid moneths Maintenance from the deficient Shires, Burghs and Paroches, which Troops are to receive their intertainment from the deficients at the ordinary rates beſide the payment of their maintenance: And it is hereby Ordained that the Committees of War within the ſeverall Shires ſhall be aiding and aſſiſting to the ſaid Generall Commiſſar herein, for inbringing of the ſaid maintenance; and in regard of the prorogating of the foreſaid Maintenance on the Shires and Burghs for the ſaid moneth of February, It is Statute and ordained by the Eſtates of Parliament, that every debtour ſhall have Retention from the Creditors of one of each eight payable for annual Rent for the ſaid moneth above ſpecified, So that the debtor ſhall be lyable in payment of ſeven of annual Rent of each hundreth of Stock proportionally according to the ſaid moneth, With this proviſion always, that no debtor whatſoever ſhall have the foreſaid benefit of Retention who ſhall not pay his annual Rent to the Creditor within the ſpace of an yeer after that one preceding years annual Rent is fully reſting owing, unpaid: And in regard of the preſent diſtreſſed condition of the Sheriffdoms of Argyle and Bute, The Eſtates do exeem the whole Sheriffdom of Argyle from all payment of the foreſaid one moneths maintenance of February inſtant; As alſo exeems the Sheriffdom of Bute, from all payment of the equall half of the ſaid moneths Maintenance abowewin Impoſed vpone the ſhire for the ſaid monethis mentinance And Ordains the ſame Shire of Bute, to be only liable in payment of the other half of the ſaid moneths Maintenance; And to be proportionably paid by the Heritors and others lyable in payment thereof through the whole Shire of Bute: As alſo the Eſtates declares this preſent Act to be without prejudice of that Act granted in favours of the Town of Inuernes of the fift of January 1647. years, That any Taxations or Impoſitions to be laid on that Town be allowed to them in part of their loſſes, conform to the tenour of that Act: And Laſtly, it is Ordained that no ſuſpenſion be granted without conſignation; And that all Heritors within Burghs, Pendicles and Liberties thereof ſhall contribute with them for payment of the Maintenance, as is mentioned in the Act of the 27. of February 1645. years. And the ſaids Eſtates Ordains, that the Lands and Teynds ſhall pay the foreſaid Maintenance, as they lie locally in Shires and Burghs, conform to the former Act of Maintenance; And it is hereby Declared, that this Act is to be without prejudice of the Priviledges of the Lords of Seſsion, conform to former Acts of Maintenance: And Ordains the ſame preſently to be Proclaimed, And thereafter to be Printed.

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ACT in favours of the Shires in the Weſt and others that roſe in oppoſition to the late unlawfull Engagement. 35

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ACT in favours of the Earl of Sutherland. 36

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ACT of exemption from payment of the Maintenance for the Moneth of Febr. 37

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ACT in favours of certain perſons in Elgin and Nairn. 38

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[COPY of the Letters (from the Commiſsioners in London) to the General & Lieut. General touching the King.

May it please yor Excy.

WEE have diverse times waited on yow, to sollicite yor endeavorr for preservation of his Maties / person. And now haveing received pticular directions, from the Estates of the Parlt of Scotland, to make application to yor Excy / for the same end: Wee doe in their names earnestly desire & intreat, That yow will take into serious consideration, that the Kingdome of Scotland, hath vndoubted interest, in his Maties / person; And how hard a thing it is, to proceede agt their King, Not only without, but against their advice and consent; That his Person was intrusted by that Kingdome, to the honobte houſes of Parlt; And how much it will reflect vpon the honour of Scotland, & the ffaith of England, to take away his life. Bee pleased alſo to remember, the many tyes & bonds of Love & freindship, betweene the Kingdomes; Their solemne Engagemts / in one Cause & Covenant; And the many obligations & mutuall good offices which have paſsed betuixt them, & betuixt the Kingdome of Scotland, And the forces vnder yor Comand. Consider, what an vnsetled peace, it is like to prove, wch shall have its foundation layd in the bloud of the King; What dangerous evills, & greevous Calamityes it may bring vpon vs, and our Posterity; What reproach vpon Religion, & the work of reformation; And what infamy abroad in other Nations. And let it never be recorded to future ages, that yow have beine wanting in yor duety, at such a time, as this. But according to the Eminency of yor place, honour, & dignity, And the greatnes of yor interest, improve this present opportunity, by all lawfull wayes & meanes, to prevent the takeing away of his Maties / life; Wherein alſo, wee doe earnestly intreat the concurrence of yor Councell of warre. And ſo wee rest

Covent garden the 29th of Januarij 1649

Yor Excyes / most humble Servants

Lothian
Jo. Cheiſly.
Wm Glendoning

For his Excy, the Lord Fairfax &c.

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SIR /

WEE have, vpon severall occasions, earnestly sollicited yow, to contribute yor best endeavours, for preservation of his Maties / person, and this day, wee have beine thrice seeking yow, twice at yor Lodgeing & once elſwhere but miſsed the oppurtunity of meiting with yow; whereof, wee were very desireous; So much the more, That wee have received the Cōmands of the Estates of the Parlt of Scotland, to wait vpon yow; And earnestly to intreat yor concurrence and aſsistance, for preventing the takeing away of his Maties / life, As wee have alſo written in a letter to his Excy / wch hee will cōmunicat vnto yow. Sir, yow have beine a witnes, both formerly & of late, of the reall affection & tender respect, wch all the welaffected of the Kingdome of Scotland, have to the honor & welfare of England; And how zealous they have manyfested themſelves, both by their actions & sufferings, to preserve the rights & interest of this Kingdome: Wherefore, wee have the better ground to hope, That yow will vse yor endeavorr, That the right & interest of the Kingdome of Scotland in his Matie / may be duely considered; And tender regard had to their honour, who trusted their Brethren of this Kingdome, with the preservation of his Person Wee doe therefore make it our earnest request to yow, in their Names, to interpose & to improve yor interest & power (wch wee know to be very great) for preventing the taking away of his Maties / life; wch, if yow shalbe pleased to doe, It wilbe highly accounted of by the Parlt of Scotland; And be looked vpon, as a speciall obligation, and an addition to all yor former kindnes & respects. Wee shall not neede to adde any argument, as from our selves; but that it would be a Testimony, that wee have not beine wanting in our duety; And enable vs to give evidence to the Kingdome of Scotland, that wee have beine faithfull in the diſcharge of our trust. And ſo wee rest

Covent garden the 29th of January 1649.

Yor most humble Servants.

Sic ſubscribitur. Lothian

For the right honobte Leiut Generall Cromwell.

Jo. Cheiſly.
Wm Glendoning

5 ffebrij 1649

Producit be the lo / chanr and red in audience of the part]

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ACT declaring the meeting of Parliament and Acts done upon the 5. Febr. 1649. to be lawfull. 39

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ACT anent the ſolemnities to be keeped in reading and proclaiming of Charles the Second King of Great Britaine, France and Ireland. 40

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V FEBRUARII.

PROCLAMATION OF CHARLES THE SECOND, KING OF GREAT BRITAIN, FRANCE AND IRELAND.

GOD SAVE THE KING.

41 THE Eſtates of Parliament preſently conveened in this ſecond Seſsion of the ſecond Triennall Parliament, by vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening the Parliament, conſidering, That foraſmuch as the Kings Majeſtie who lately Reigned, is contrary to the Diſſent and Proteſtation of this Kingdom now removed by a violent Death; And that by the LORDS Bleſsing there is left unto us a Righteous Heir, and Lawfull Succeſſour, CHARLES Prince of Scotland and Wales, now King of Great Britain, France, and Ireland; We the Eſtates of Parliament of the Kingdom of Scotland, do therefore moſt Unanimouſly and Cheerfully in Recogniſance and acknowledgment of His Juſt Right, Title, and Succeſsion to the Crown of theſe Kingdoms; hereby Proclaim and Declare to all the World, That the ſaid Lord and Prince Charles is by the Providence of GOD and by the Lawfull Right of undoubted Succeſſion and Diſcent, King of Great Britain, France and Ireland, whom all the Subjects of this Kingdom are bound Humbly and Faithfully to Obey, Maintain and Defend according to the National Covenant, and the ſolemn League and Covenant betwixt the Kingdoms, with their Lives and Goods againſt all deadly, as their onely Righteous Sòveraign, Lord and King; And becauſe His Majeſtie is bound by the Law of GOD, and Fundamentall Laws of this Kingdom, to Rule in Righteouſneſſe and Equity for the Honour of GOD, the good of Religion, and the Wealth of His People: it is hereby Declared, That before He be admitted to the exerciſe of His Royall Power, He ſhall give Satisfaction to this Kingdom in theſe things that concern the Security of Religion, the Union betwixt the Kingdoms, and the Good and Peace of this Kingdom, according to the Nationall Covenant, and the ſolemn League and Covenant, for the which end we are reſolved with all poſſible expedition to make our humble and earneſt Addreſſes to His Majeſtie; For the Teſtification of all which, We the Parliament of the Kingdom of Scotland, Publiſh this our due Acknowledgement of His juſt Right, Title, and Succeſsion to the Crown of theſe Kingdoms, at the Mercat Croſſe of Edinburgh, with all uſuall Solemnities in the like Caſes, and Ordains His Royall Name, Portract and Seal to be uſed in the publick writings and judicatories of the Kingdom, and in the Mint-houſe, as was uſually done to his Royall Predeceſſors, and Command this Act to be Proclaimed at all the Mercat Croſſes of the Royall Burghs within this Kingdom, and to be Printed, that none may pretend Ignorance thereof.

GOD SAVE KING CHARLES THE SECOND.

[FOLLOWES the tenor of the inſtruments taken be his Majeſties Advocate upon the proclamation of the above written proclamation upon the Croſſe of Edinburgh, on the 5th day of February 1649 at twelve houres in the day or thereby

THE q^{ll} day compeired perſonally upon the place aforeſaid Sir Archibald Jhonston of Wariſton knight his Majeſties Advocate &c. and after the reading of the proclamation whereby CHARLES the ſecond is proclaimed King of Great Britaine France and Ireland and asked Inſtruments of mee Sir William Scott of Clarkington knight, clarke of parliament (in whoſe hands the ſaid inſtruments were ordayned be the parliament to be taken) upon reading of the proclamation foreſaid; and that the said Charles the Second was proclaimed king of Great Britaine, France and Ireland. These things were done day yeare and place reſpectivè foreſayd before these witneſses John Earl of Loudoun &c In witnes whereof my subſcription manuall is hereto ſubjoined. Sic ſubſcribitur

W SCOTT Cls Parl.]

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ACT in favours of John Campbel. 42

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VI FEBRUARII.

ACT in favours of the Lieges who purchaſed Brieves and others Writts before or after our late Soveraign his death, and before the knowledge thereof. 43

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[INSTRUCTIONS from the Parliament to their Commiſsioners at London to come away for Scotland]

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VII FEBRUARII.

ACT anent ſecuring of the Covenant, Religion, and peace of the Kingdom.

44 THE Eſtates of Parliament, Taking to their moſt ſerious conſideration the unhappy differences between their late Soveraign and theſe Kingdoms, cauſed by the evil counſells about him, unto the great prejudice of Religion, and long diſturbance of the peace of theſe Kingdoms: As lykeways the manifold Acts of Parliament and fundamentall conſtitution of this Kingdom anent the Kings Oath at his Coronation, which judging it neceſſary, that the Prince and the People be of one perfect Religion, appointeth that all Kings and Princes who ſhall Reign or bear Rule over this Realm, ſhall at their Coronation or receipt of their Princely Authority, ſolemnly ſwear to obſerve in their own perſons, and to preſerve the Religion as it is preſently eſtabliſhed and profeſſed, And rule the people committed to their charge according to the will of God revealed in his Word, and the loveable conſtitutions received within this Kingdom, And do ſundry other things which are more fully expreſſed therein, And withall pondering their manifold ſolemn Obligations, to endeavour the ſecuring of Religion, and the Covenant before and above all worldly intereſts: Therefore they do Enact, Ordain and Declare, That before the Kings Majeſtie who now is, or any of his Succeſſours ſhall be admitted to the exerciſe of his Royall Power, he ſhall by and attour the foreſaid Oath aſſure and declare by his Solemn Oath under his Hand and Seal, his allowance of the Nationall Covenant, and of the ſolemn League and Covenant, and Obligation to proſecute the ends thereof in his ſtation and calling; And that he ſhall for himſelf and his Succeſſours, conſent and agree to Acts of Parliament, enjoyning the Solemn League and Covenant, and fully eſtabliſhing Presbyterian Government, the Directory of Worſhip, Confeſsion of Faith and Catechiſms, as they are approven by the Generall Aſſembly of this Kirk and Parliament of this Kingdom in all his Majeſties Dominions, And that he ſhall obſerve theſe in his own practiſe and Family, And that he ſhall never make oppoſition to any of theſe, or endeavour any change thereof.

IT is alſo Declared, Enacted, and Ordained, that before the King who now is be admitted to the exerciſe of his Royall power, he ſhall leave all Counſell and Counſellors prejudiciall to Religion, and to the Nationall Covenant, and to the Solemn League and Covenant, And give ſatisfaction to the Parliament of this Kingdom, as it is now conſtitute in what further ſhall be found neceſſary for the ſetling of a happy and durable Peace, preſervation of the Union between the Kingdoms, and for the good of the Crown, and for his own Honour and Happineſs; And ſhall conſent and agree that all matters Civill be determined by the Parliaments of this Kingdom, and all Eccleſiaſtick matters by the Generall Aſſembly of this Kirk, For the which ends the Eſtates of Parliament are reſolved to make their humble and earneſt addreſſes to his Majeſtie with all poſſible expedition, All which they finde themſelves bound to proſecute, and reſolves not to recede therefrom, but to ſee the ſame really performed.

LIKEAS, the Eſtates of Parliament diſcharges all the Lieges and Subjects of this Kingdom to procure or receive from his Majeſtie any Commiſsions, Patents, Honours, Offices or gifts whatſomever, untill his Majeſtie give ſatisfaction as ſaid is, under the pain of being Cenſured in their perſons and eſtates, as the Parliament, or any having power from them ſhall judge fitting.

AND if any ſuch Commiſsions, Patents, Honours, Offices or gifts ſhall be procured or received by any of the Subjects of this Kingdom before ſuch ſatisfaction; The Parliament Declares and Ordains all ſuch Commiſsions, Patents, Honours, Offices or gifts, and all that ſhall follow thereupon, To be void and null.

ACT anent the Catechiſmes, Confeſsion of Faith, and ratifying thereof.

THE Eſtates of Parliament now preſently conveened in this ſecond Seſsion of the ſecond Triennall Parliament, by vertue of an Act of the Committee of Eſtates, who had power and Authority from the laſt Parliament for conveening the Parliament, Having ſeriouſly conſidered the Catechiſmes, viz. The Larger and Shorter ones, with the Confeſsion of Faith, with three Acts of Approbation thereof by the Commiſsioners of the Generall Aſſembly, preſented unto them by the Commiſsioners of the ſaid Generall Aſſembly, Do ratifie and approve the ſaids Catechiſms, Confeſsion of Faith, and Acts of Approbation of the ſame, produced as ſaid is, and Ordains them to be recorded, publiſhed and practiſed. 45

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COMMISSION in favours of the Earle of Sutherland. 46

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VIII FEBRUARII.

WARRAND granted to the Juſtice to ſit upon Patrick Bald. 47

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ACT in favours of the Town of Breichen. 48

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49 ACT for uſing the ſeales and caſſat, while new ones be made.

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50 ACT anent Signators and others paſt our late Soveraign his hands, and not paſt the Exchequer before his deceaſe.

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51 ACT in favours of the Tutor of Caddell, anent the Gariſon of Yla.

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52 ANSWER of Parliament to the obſtructions whilks might occaſion defalcation of the Maintenance of the four Moneths preceeding Februar inſtant.

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53 ACT in favours of Reformeir Officers.

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54 ACT joyning the Bailliarie of Lawderdale to the Sheriffdom of Berwick, anent the publick Dues.

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IX FEBRUARII.

55 ACT in favours of Robert Pattoun.

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56 ACT in favours of Chriſtian Forret.

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57 ACT in favours of Dame Geils Moncreif.

[REPORT of the Committee anent Dame Geillis Moncreiff

ED^R 24 Januar 1649

SUPLICATIOUNE Dame Geillis Moncreiff relict of vmq^le Sr James Oliphant of Newtoune Againes Maiſter George Oliphant ſecound ſone to the ſaid vmq^le Sr James, Relating to ane act of the Cōmittee of Eſtates of the Second of November 1648 Quhairby Cōmiſſion is given to the lairdis of Bachiltowne ffrieland and Balhowſſie To repoſſes the ſupplicant To the toure and maner place of Newtown, And to the landis of Newtown whairfra ſchoe was violentlie ejected by the ſaid Maiſter George, And to redelyver the Cornes and pleniſching taine be him fra hir As the act proportis And deſyring that the Parlia^t wald grant the lyk Cōmiſſion and power To the lairdis of Eiſter moncreiff Kintilloch and Mr Patrick Pitcairne ſ^r eff deputt of Pearth to the effect foirſaid Inreſpect theſe to whom the former cōmiſſion was grantit ar reſident in Ed^r

IT is the humble opinioun of this Cōmittee That the Parliament Ratifie the foirſd act of the Cōmittee of Eſtates And þ^r ꝯmiſſion be grantit to the lairdis of eiſtermoncreiff kintilloch and m^r Patrick Pitcairne for repoſſeſſing of the ſuplicant to the howſſ landis cornis and guidis, Schoe finding cautioun in the ſ^r refdome of Pearth at hir repoſeſſioun To mak cornes and guidis furthcumeand to all ꝑties havand intreſ as accordis of the Law And this but prejudice of the ſuplicants actioun of contraventioun againes the ſaid M^r george And in [reſpect] of the ſaid maiſter George his cariage and of the wrongis and violences done be him to the ſuplicant IT is the opinion of the Cōmittee That warrand be given to Lieu^t: Gñall david Leſlie And Colo^ll Pitſcottie or aither of thame To cauſe apprehend the ſaid Mr George And incarcerat him to remaine In priſone during the Parliament or thair Cōmittees pleaſ^r.

J COUPAR I P D Com.

9 feb^rij 1649

The Eſtaittes of par^t haiffing hard red the repoirt abonewrettin they approve the ſamyne

LOUDOUN · Can^ttrius
I P D P]

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ACT anent the Kirk of Camerone. 58

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ACT in favours of Captain Alexander Lokhart. 59

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ACT in favours of John Campbel and others. 60

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ACT in favours of the Lord Lovat and Sir James Fraſer. 61

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ACT in favours of Hector Macleane of Torlosk. 62

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ACT in favours of the Laird of Kilſythe. 63

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ACT in favours of Alexander Meingies, and Patrick Roſs. 64

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65 ACT in favours of the Committee of War of the Sherifdom of Linlithgow.

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66 ACT in favours of the Town of Aberbrothe.

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67 ACT in favours of the Town of Forfar.

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68 ACT in favours of the Town of Forres.

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69 ACT in favours of the Heretors of Spyne.

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70 ACT in favours of the Tenents of Inchkeir.

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71 ACT in favours of Maſter Robert Gordoun of Straeloche.

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[PETITIOUN Colonell James Campbell of Laueris

TO the Right honoble The Estates of Parliament. Now Conveined At Edinburgh The Humble Petitioun of Colonell James Campbell Sone to vmqll Colonell Sir Mungo Campbell of Laueris.

Humblie Schawes, That whair the Cōmittie of Estaites be thair Act at Stirling The Saxt of Junij 1645. Did find thameſelues Obleidged in Conſcience And honour to haue ane ſpeciall reguard of the guid & Acceptable ſrvice done to this kingdome be the ſaid vmqle Sr Mungo Campbell my father And of the loſes and ſufferinges ſuſteanit be him thairin, And haueing loſt his lyff in ane conflict with the rebellis, And by the ſaid Act The Cōmittie in name of the kingdome, did accept me his ſone his ladie & childrine into thair protectioun And not onlie to ſie his loſes repairit And bygaine Arreares dewlie ſatiffeit But that ane acknowledgment ſuteable to his deſerving ſould be beſtowit on his familie Quhilk act is ratified be the parliament At pearth The Sevint of Auguſt 1645. Q'in thay haue granted ane act of the dait forſaid That the bygaine arreares dew to my ſaid vmqle fatheris Regiment Aithir as Colonell of his Regiment Or as Rutmr of his Troup ſould be compleitlie payit To Alexr Meingeis of Comries And Johne Campbell than Comiſſrie for ꝑe Irriſh Army LYKAS The Parliament at Sr androis be thair act of the ffyft of Januarie 1646. Ordained the Generall Comiſſrie within the kingdome of Scotland And the Comiſſrie with the Scottis Army in Ireland To compt with me for the haill Arreares dew to my ſaid vmqll father baith As Colonell of the Regiment of foot And rutmaiſter of ane Troup of horſe Since thair firſt goeing to Ireland That it might be conſtant what arreares wer dew wnpayit And thairafter to mak report to the Parliament Or Cōmittie of Parliament That ſome effectuall courſe might be takin for payt thairof Notwithſtanding q'of ther was nevir any obedience given to the ſaides actis Nor ſatiſfactione maid to me Nather for my vmqle fatheris loſes And arreares dew to him Quhairthrow I was driven to great extreamitie & diſtres Haueing the charge of my grandmother, mother, and ſiſteris My vmqll fatheris eſtait being brunt deſtroyit and maid waiſt four geires bygaine be rebellꝯ And ſtill continowing ſoe Wntill I ſhall be inabled to mak vp ane ſtock for pleniſhing of the ground Q'vpone I now haueing meaned my ſelff To the lait parliament in Anno 1648: They be thair act and precept daittit the Tent of Maij laſt ffand that [be] the act of Parliament Tuentie Sevin of March 1647. The ſoume of ffourtie Thowſand Merkis was Appoyntit to be payit to me As ane pairt of ffourſcoir Aughteine Thowſand pundꝯ fund dew to my regiment of thair tuo pairt pay befoir my fatheris death And thairfoir Ordained the Generall Commiſſries for the tyme To pay the ſame to me out of the firſt And redieſt moneyis that ſould come to thair handꝯ As the ſaid act at mair lenth beares Notwithſtanding of all which premiſſ I haue receaued no ſatiſfactione of any pairt of the foirſaid ſoumes Albeit my burdine does daylie increſ And augment on me And my fatheris whoill creditorꝯ Are continewallie vrging and preſſing me & my freindꝯ who are ingadgit as Cautioneris for him for payment of thair prinll ſowmes & ārentis So that both I and they will wndoubtedlie rwine And our credites break wnleſ yor honorꝯ tak ſome ſpeadie courſe for payment & ſatiſfactione of ꝑe ſoumes and arrearꝯ dew to my ſaid vmqle father be the publict Amounting to ffourſcoir Aughteine thowſand pundꝯ for his ſrvice in Scotland And that by and attour the Arreares dew to my ſaid vmqle father for the ſrvice of his regiment in Ireland Extending to Sevinteine thowſand pund ſterling (beſyd the arreares dew to my ſaid Regiment ſen I was Colonell therto my ſelff And beſyd the great loſes my ſaid vmqle father ſuſteinit in his eſtait be burneing and waiſting To the value of neir Ane hundreth Thowſand punds As the particullar compt and actis maid thervpone beares) Speciall conſideraone being had that my vmqle father did not onlie loſe his lyff but lykwayes rwined his fortune in the publict ſrvice And that my regiment evir fra the begining did beheaue

themſelues dewtifull & faithfull both in thair firſt ingoeing & ſtay in Ireland And in thair comeing fra thence to Scotland And goeing fra this to England And returneing therfra to Scotland againe with great toyll & travell Sua that they haue evir ſtill continowed painefull & faithfull To the caus & kingdome And when all vther regimentis that war on foot within the kingdome laitlie in Anno 1648 At the tyme of þe lait wnlawfull engadgment did aither goe on in that engadgment Or els diſband at home Ȝit for all the fair invitationes and alurmentis vſeit be the cheif authores & fomentares of that engadgment and ther cruell menaces And threatninges I did ſtill keip wp my regiment on foot And brought them at lenth throw many dangeris & difficulties when the enemies of this caus 't kingdome war at Stirling And had pairties on all handᵉ to aſſault and intercept ws in our march Ȝit it pleaſed the lord to bring ws ſaiflie throw all theſe dangeris to Lothiane wher we ſtill continow of the ſame reſolutione we evir had fra the beginning redie to wndirgoe the vtmoſt extremitties that can befall ws for the caus in hand and the ſrvice of this kingdome May it thairfoir pleas yoʳ honoʳᵉ in conſideration of þe premiſſ Not onlie to appoynt the forſaid ſoume of ffourtie thowſand merkᵉ conteanit in my formar warrand to be payit to me with the intereſt þof ſen the dait of that warrand But alſo that yoʳ honoʳᵉ will appoynt ſome farther proportione of my ſaid vmqˡᵉ fatheris arreares to be payit to me for ſatiffieing of ſome of my creditoʳᵉ that is moſt vrgeing And that yoʳ honoʳᵉ tak ſome effectuall courſe that ſpeedie payment may be provydit of þe ſame Or þ ze will think vpone ſome other effectuall way for my preſent ſupplie Or if the honoᵇˡᵉ eſtaites of parliament ſall not grant ſome effectuall courſe for payment of þe foirſaid ſoumes for inabling yoʳ ſupplicant in ſome meaſſʳ to ſatiſfie his creditoʳᵉ (as he doeth certainlie expect) frome the juſtice of the parliament It is his humble deſʳ that the honoᵇˡᵉ eſtaites of parliament may aither diſpoſe of his Landᵉ As they ſall think fitt for payment of his debtᵉ or ordaine his creditoʳᵉ to accept þ'of for payment of his debtᵉ dew to thame At the ordinarie rate And for which Landᵉ wer ſold at in the Cuntrie And that he may haue the parliamentᵉ Approbaᵗⁿe And paſ to goe with his regiment to tak ſrvice out of this kingdome for his & ther neceſſrie ſubſiſtance And your ho: Ansuer I humblie beſeik.

9 ffebʳ 1649.

Red in audience of pliaᵗ and remittit to a ꝯmitte of two of everie eſtait to be noïat be the ſeverall bodeis at thair nixt meitting To qᵐ they geive power To think vpon ſome effectuall meanes for ſatiffeing the ſupplicant & to geive in ouertoʳᵉ for that effect & to repoirt That thairefᵗ the pliaᵗ may do þ'in as they think fitting]

X FEBRUARII.

ACT for information of the Lieges, anent the ſecuring the Peace of the Kingdom.

THE Eſtates of Parliament now preſently conveened, Taking to their ſerious conſideration, how cunning ſome are to coyn, and others bold to vent; and a third ſort weak and ſimple to believe lies and calumnies againſt their proceedings, even whilſt they are doing their beſt for the good of Religion, the Honour and Happineſs of the King, the preſervation of the welfare and peace of this Kingdome, And of all the bonds of Union betwixt the Kingdoms. And being informed that ſome falſe rumours are ſpread as if they had intended to ſeaſe upon the perſons of thoſe that had been active in the late unlawfull engagement, which hath been but invented and vented by malignant ſpirits, to make men out of ſuch apprehenſions to quit their houſes and families, and to draw together with other diſcontented perſons to caſt the peace of the country looſe, and to weaken the hands of the Parliament, In the proſecuting of the ends of the Covenant, and of their duties for Religion, King and Kingdomes. And conſidering the late Act of Parliament of the date the twenty ſixt of January laſt, containing the band for ſecuring of the peace of the Kingdom, and ane other Act of the date the fift day of February inſtant, Proclaming Charles the ſecond King of Great Brittain, France and Ireland, &c. They doe Inact, Ordain, and Declare for the ſatisfaction and ſecurity of all the Leiges, That they have no ſuch intention or reſolution to prejudge the Freedome of any mans perſon, who offers himſelfe, or doth when required, ſubſcribe, and find ſurety for the peace of the Kingdom, according to the foreſaid Band: And doth teſtifie his allowance of the foreſaid Proclamation concerning the King His Majeſty who now is; and to the effect it may be known who are willing to doe the ſame, and who refuſes, The Eſtates of Parliament ordaineth that the new Committees of Warre in the ſeverall Shires, and Magiſtrates in Burghs, call before them all ſuch perſons as were active in the late ingagement, and any other diſaffected perſons known to them, To ſubſcribe and finde ſurety according to the ſaid Band, And to teſtifie their allowance of the ſaid Proclamation, with certification contained in the Act anent the Band, And that theſe on this ſide of Tay give an account of their exact diligence hereof to the Parliament or Committee of Eſtates betwixt and the fifteenth day of March, And theſe on the other ſide of Tay, betwixt and the firſt day of Aprill. And Ordains this to be Proclaimed at the Mercat Croſſe of Edinburgh, and thereafter to be Printed. 72

XIII FEBRUARII.

ACT againſt remiſsions for Capitall crimes.

73 THE Eſtates of Parliament now conveened in the ſecond Seſsion of this ſecond Triennall Parliament, conſidering the exceeding great abuſe that hath creeped in by granting remiſſions or reſpits to perſons guilty of crimes, which are ordained to be puniſhed by death, both by the Law of God, and Law or practique of this Kingdom. By which remiſsions and reſpits, Gods Law is preſumptuouſly diſpenſed with, the Law and practique of the Land made uſeleſſe, the whole Land polluted with ſin, a door opened unto the committing of many hainous crimes without fear through hope of impunity, and the Lord provoked in his wrath to plague the Land, and to do juſtice upon the inhabitants thereof, becauſe of the neglect of the Magiſtrate herein; Do therefore Statute and Ordain, that no remiſsion or reſpite ſhall hereafter be given or paſs in favours of any perſon or perſons that are puniſhable by death both by the Law of God, and by the Law or practique of this kingdom: And that if any remiſsion or reſpit ſhall be purchaſed and obtained by any ſuch perſon, or in their favours, The ſame is hereby declared null and of no effect, and that the ſaids perſons notwithſtanding of the ſaid remiſsion or reſpite, ſhall be proceeded againſt and puniſhed by death, according to the Law and practique of the Land: And Ordains the Juſtice-Generall and his Deputies, and all others, having power in criminalls, accordingly to proceed and do juſtice, notwithſtanding of any ſuch remiſsions or reſpits. And Ordains his Majeſties Advocate and others having intereſt to intend and proſecute purſuits to the finall deciſion of the ſame, againſt the contraveeners of the Act foreſaid.

ACT anent the ſeverall degrees of caſuall homicide.

74 THE Eſtates of Parliament for removing of all queſtions and doubts that may ariſe hereafter in criminall purſuits for ſlaughter, Statutes and Ordains, that the caſes of homicide after following, viz. caſuall homicide, homicide in lawfull defence, and homicide committed upon theeves or robbers, breaking houſes in the night, or in caſe of maſterfull depredation, or in the purſuit of denounced or declared Rebels for criminall cauſes, or of ſuch who aſſiſt and defend the Rebels by Armes, and by force oppoſes the purſuit and apprehending of them, whilk ſhall happen to fall out in any time coming, nor any of them ſhall not be puniſhed by death, And that notwithſtanding of any Laws or Acts of Parliament, or any practique made heretofore or obſerved in puniſhing of ſlaughter: But that the man-ſlayer in any of the caſes aforeſaid, be aſoilyed from any criminall purſuit purſued againſt him for his life for the ſaid ſlaughter before any Judge criminall within this Kingdom, Providing always, that in the caſe of homicide caſuall, and of homicide in defence, notwithſtanding that the man-ſlayer is by this Act free from Capitall puniſhment, yet it ſhall be leaſome to the chief Juſtice Court, with advice of the Counſell to Fine him in his means to the uſe of the defuncts Wife and Bairns of neereſt of kin, or to impriſon him.

ACT againſt Swearing, Drunkenneſſe, Scolding and other Prophanities.

75 THE Eſtates of Parliament conſidering, that notwithſtanding the laudable and pious Act made at Perth the 7. of Auguſt 1645. againſt Swearing, Drunkenneſſe, and mocking of Piety, Theſe vices do ſtill continue and encreaſe in the Land, unto the great diſhonour of God, and ſcandall of the Goſpel, Do therefore for remedie thereof renew the ſaid Act with the alteration and addition following, viz. That whoſoever ſhall be found culpable of any one or other of the vices mentioned in the ſaid Act by any Civill or Eccleſiaſticall Judicatory, whereunto they are ſubject, ſhall even after the firſt conviction before either of the ſaids Judicatories be liable unto the ſeverall reſpective penalties mentioned in the ſaid Act, And Ordained the Act foreſaid to have full force, ſtrength and effect in all the other clauſes thereof: And farther Ordains the ſaid Act to be extended and executed againſt ſcolders, filthy ſpeakers, and makers or ſingers of Bawdie ſongs, and they made liable to the reſpective penalties contained therein, according to the quality of the offenders, even after the firſt conviction as ſaid is, And as for thoſe who after the fourth conviction of any one of the ſaids faults, do not yet amend, but prove incorrigible, the conviction being repreſented by the Seſsion or Presbyterie to the Magiſtrate of the Paroch appointed for lifting the penalties, or Sheriff of the Shire, Lords of ſecret Counſell, or Magiſtrate of Burgh; The Eſtates Ordains the ſaids incorrigible perſons to be put in priſon, there to remain aye and while they finde caution of their good behaviour in all time coming, under the pain of four hundred pounds to ilk Nobleman, to ilk Baron four hundred Merks, ilk Gentleman, Heretor and Burgeſs two hundred Merks, ilk Yeoman fourty pounds, ilk ſervant twenty pounds to be imployed on pious uſes: And becauſe healthing and ſcolding is the occaſion of much drunkenneſſe, Therefore the Eſtates of Parliament extend this Act and the ſaid Act at Perth and the reſpective penalties therein contained againſt all thoſe who under whatſoever name, or by whatſomever geſture, drink healths or ſcolls

and motion the ſame, and urge others thereunto; And it is declared that the executing of this Act ſhall be beſide and without prejudice of the Kirk Cenſure.

ACT anent mortifications and dotations to Hoſpitals and other pious uſes.

76 THE Eſtates of Parliament, conſidering that Mortifications and Dotations to Hoſpitals and other uſes of the poor within this Kingdom have been much wronged and diminiſhed in divers places of this Kingdom, through the converſion of the victuall doted and mortified to the ſaids Hoſpitals, or to other uſes of the poor in money: whereby the Rents and means of ſuſtenance of the ſaid poor people through the ignorance of the preſent granters of the ſaid converſion, have been much impoveriſhed and diminiſhed, by taking a little ſum of money for the Boll of victuall mortified as ſaid is: And ſeeing the granters of the ſaids converſions, had no power to dilapidate the ſaid Mortifications in prejudice of their Succeſſors; And to the effect that remeid may be had thereof, Therefore the Eſtates of Parliament Statutes and Ordains, that all converſions of victuall in money of any Rents doted and mortified to Hoſpitals, or to any other uſes of the poor, ſhall be reduced to the old Foundation: And that the Heritors and poſſeſſors of the lands, ſubject in and liable to the payment of any doted or mortified victuall, ſhall yeerly in all time coming, make payment of the Bolls of victuall themſelves to the uſes foreſaid: And that the Act of preſcription made in anno 1617. ſhall be no ground of a defence againſt the actions to be purſued for reducing of the ſaid converſion to the firſt foundation, but that notwithſtanding thereof that the ſaids converſions be annulled and reduced, It is always provided, that if the party defender againſt whom the ſaid action of reduction ſhall be purſued, either himſelf or his predeceſſors to whom he hath ſucceeded as Heir, have acquired the heritable right of the Lands ſubject in and liable to the payment of the foreſaid mortified victual at any time within theſe fourty yeers laſt bypaſt, in reſpect he or his Predeceſſors hath payed the price of the lands in relation to the ſaid converſion that then and in that caſe the decreet of reduction of the converſion ſhall onely be extended to the juſt and equall half of the Bolls of victuall contained in the firſt dotation and mortification, whilk the Heretors and Poſſeſſors ſhall be obliged to pay in all time coming to the uſes foreſaid, But if the defender in the ſaid reduction be Heir by progreſs or ſucceſſor titulo lucrativo to the firſt receiver of the converſion, Then and in that caſe it is Statute and Ordained that the converſion ſhall be reduced to the firſt foundation in totum; And that the hail Bolls of victuall mentioned in the firſt dotation ſhall be payable by him and his Succeſſors in the ſaids Lands to the uſes foreſaids in all time coming, It is alſo provided that this preſent Act ſhall onely be extended ad futura for payment in time coming of the doted and mortified victuall in manner as ſaid is: Likeas it is Statute and Ordained that no victuall mortified to any Colledges or any other pious uſes ſhall be converted in money, in any time coming by any Writs to be made, except from yeer to yeer, as the parties ſhall agree; And if any ſick converſion ſhall be made, the Eſtates of Parliament by theſe preſents, declares the ſame null, and of no force. And Ordains the foreſaids actions of reduction for the foreſaid converſion, to be purſued at the inſtance of the Procurator for the Kirk.

ACT againſt Clandeſtine Marriages.

THE Eſtates of Parliament conſidering how neceſ- 77
ſary it is that no Marriage be celebrate but according to the laudable order and conſtitution of this Kirk and by ſuch perſons as are by the Authority of this Kirk warranted to Celebrate the ſame; And that notwithſtanding hereof ſundry, either out of diſaffection to the Religion preſently profeſſed in this Kingdom, or being deſirous to eſchew the Cenſures of this Kirk or to ſatisfie their promiſe of marriage formerly made to others, or to decline the concurrence and conſent of their Parents or others having intereſt, or out of ſome other unlawfull pretext do procure themſelves to be married, And are married either in a Clandeſtine way contrary to the eſtabliſhed Order of the Kirk, or by Jeſuits, Prieſts, depoſed or ſuſpended Miniſters, or any other not authorized by this Kirk, Do therefore Statute and Ordain, that whatſoever perſon or perſons ſhall hereafter marry or procure themſelves to be married in a Clandeſtine and inorderly way, or by Jeſuits, Prieſts, or any other not authorized by this Kirk, That they ſhall be impriſoned for three moneths, and beſides their ſaid impriſonment ſhall pay, ilk Nobleman five thouſand pounds, ilk Baron and Landed Gentleman five thouſand Merks, ilk Gentleman and Burgeſs one thouſand pounds, ilk other perſon five hundred merks, and that they ſhall remain in priſon ay and while they make payment of theſe reſpective penalties abovementioned, which are hereby Ordained to be applyed to pious uſes within the ſeverall Paroches, where the ſaids Perſons dwells, and that the Celebrater of ſuch marriages be baniſhed the Kingdom, never to return therein under the pain of death. Likeas the Eſtates ratifies 8. Act of the Parliament 1641. made againſt theſe parties who go to England or Ireland and marries there, without Proclamation of Bands in this Countrey, and againſt the Order and conſtitution of the Kirk thereof, with this addition, that the Contraveeners ſhall be liable to the reſpective pecuniall and corporall pains mentioned

in this Act: And that the pecuniall pains ſhall be applied to pious uſes, And Ordains the Procurator for the Kirk to purſue before the civill Judge the fulfilling of this [Act], and Ordinance for the Corporal and pecuniall pains abovementioned, but prejudice alwayes to the Kirk to proceed with their Cenſures againſt ſuch offences.

ACT againſt ſcandalous perſons.

78 THE Eſtates of Parliament, conſidering that notwithſtanding of the Act made at Perth in the year 1645. concerning one or moe to exact the penal ties and inflict corporall pains againſt ſcandalous offences that are not capitall, yet the ſame is ineffectuall becauſe the perſons nominate for that purpoſe either will not accept of that imployment [or] are negligent therein, or will not exact theſe penalties nor inflict theſe pains without a new civill proceſs, Therefore they do renew the former Act at Perth in all the heads and clauſes thereof, And do further Statute and Ordain, that whatſoever perſon or perſons ſhall be nominate and choſen for theſe imployments after the manner contained in the ſaid Act, or by the Lords of ſecret Counſell upon recommendation of the Presbyterie or Seſſion if they ſhall refuſe to accept of the ſaid imployment, That Letters of horning upon the deſire of Presbyterie or Kirk Seſsion ſhall be given out againſt them for charging them to accept thereof: And it is alſo Ordained that theſe perſons that ſhall accept of the ſaid imployment ſhall upon the deſire of the Seſsion, fit with them, And upon the hearing of ſcandalous offenders convict before them by proof or confeſsion, or upon the ſight of the proceſſe of the Kirk Seſsion, ſubſcribed under the Miniſter and two Elders hands, when they themſelves cannot be preſent, that they ſhall without any new civill proceſs exact the penalties contained in the Acts of Parliament, and deliver them to the Kirk Seſsion, and inflict the corporall puniſhments, as is provided in the Acts of Parliament, And it is alſo Ordained, that any of theſe perſons who ſhall be proceſſed by the Seſsion or Presbyterie for their negligence in theſe duties, ſhall upon complaint made and verified againſt them by the Seſsion or Presbyterie, before the Lords of ſecret Counſell be fined or impriſoned by the ſaids Lords, not exceeding the quadruple of the penaltie; And that this Act ſhall be extended in the ſeverall heads and clauſes thereof, To Magiſtrates in Burgh as well as Landward; And becauſe it is needfull that the perſon or perſons who ſhall be choſen to theſe imployments have inferiour ſervants and officers for exacting the penalties and inflicting the Corporall puniſhments provided in the Acts of Parliament, Therefore it is Statute and Ordained, that the tenth part of ilk penalty ſhall be given at the ſight of the ſaids perſons, unto the ſaids inferiour ſervants & officers for recompence of their pains in every Landward Congregation.

ACT againſt going of Mylnes, Kills, Salt-pans, or Fiſhing on the Lords-day.

THE Eſtates of Parliament, conſidering that not- 79
withſtanding of former Acts of Parliament made againſt going of Mylnes and Salt-pans, and againſt Salmond-Fiſhing and other ſervile work on the Lords-day, yet the Sabbath is in many places of the Kingdom prophaned by doing of theſe works in the morning or evening of the Lords-day, do therefore Statute and Ordain, That whoſoever ſhall work in Corn, or walk Mylnes, dry in Kills, work in Salt-pans, or in fiſhing [or] be acceſſory thereto, or any other unneceſſary work betwixt midnight and midnight on the Lords-day, ſhall be liable to the penalty contained in the reſpective Acts of Parliament, made againſt Prophaners of the Sabbath.

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ACT in favours of the Committee of War of Pearthſhire. 80

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ACT in favours of the Laird of Houſtoun. 81

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DECREET againſt the Earl of Crawfurd-Lindſay Theſaurer principall, &c. 82

. . . . . .

DECREET againſt the Earl of Lanerk Lord Secretar, &c. 83

. . . . . .

DECREET againſt the Earl of Roxburgh Lord Privyſeal, &c. 84

. . . . . .

DECREET againſt Sir Alexander Gibſone of Durie Clerk of Regiſter, &c. 85

. . . . . .

DECREET againſt Sir Andro Fletcher of Inuerpeffer, one of the Senatours of the Colledge of Juſtice, &c. 86

. . . . . .

ACT of diſſolution of the Parſonage of Kingkell. 87

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88 RATIFICATION of the contract betwixt the Earl of Carnwath, and Presbyterie of Biggar.

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[SUPPLICATIONE be Sr Robert Campbell of Glenurquhy

WNTO the right honn The Eſtates of Parliament The humble ſupplicatioun of Sr Robert Campbell of Glenvrquhy knyt

Sheweth

THAT qr it is notourlie knowne how for my fidelitie and affection to the Cauſe and Covenant during the tyme of the Late rebellioun I have not only Loſt in the publict ſrvice my brother, Sex of my nephews with many conſidderable gentlemen of my hous and the moſt pairt of my tennents (the reſt being ſcattered throw the cuntries) Bot alſo my Lands have bein totallie brunt herried and Laid deſolat by the Irriſhe rebells and vnnaturall cuntrie men þr aſſociats Lykeas haveing ſent one of my ſones with a company to concur with the forces of this kingdome to oppoſe the late vnlaufull engadgment againſt the kingdome of England; my ſaid ſone with thrieſcoir of his companie, and all the officers þrof being my freinds wer cut of be the enemie at ſterling in ſeptember Laſt, By qlks great Loſes and heavie ſufferrings in blood and meanes I am brought to ſo great extreamities that I have no meanes of ſubſiſtance not ſo much as to buy bread to my wyfe and familie for their intertanement As alſo altogither diſabled to give any kynd of ſatiffactioun to the tuo diſtreſſed Ladyes Lyfrentrices that are on my eſtate nor to my other creditorſ All my Lands being appryſed and myſelf vnder horneing and captioun, that without yor honorſ protectioun I might not appeare in this place, So that the Libertie of my perſone my eſtate and all worldly comfort is lyke to be taken frae me and my familie Lyke to be razed from having any name or being within the Land Quhilk calamitous conditioune I am forcit this day with ane ſorrowfull heart to lay out befoir yor honorſ as the fathers of this cōmoun wealth and qo only are able and ſhould (vnder God) preſerve the ſame from ruine and the rather becaus all other meanes propoſed as the money from england &c have proved ineffectuall, Whereanent I ſhall vſe no other argument then humblie to put yor honorſ in mynd of the Covenant qin this whole Land is ſo ſolemnlie engadgit befoir the Lord and of that clauſe þrof bearing that what ſhalbe done to any for that cauſe ſhalbe taken as done to all and everie one And to call God to witnes how faithfullie and conſtantlie according to my weak power I have followed the cauſe from the begining to this day qlk I ſpeak in all humilitie wtout any boaſting And with all to repreſent to yor honorſ that my caiſ is ſingular and can not be parallelled with any mans caiſ in the kingdome of my qualitie ffirſt Inreſpect (as is weill knowne) that at the begining of the troubles, qll my Lands wer brunt herried and waſted my eſtate wes conſidderable 2o Inreſpect of the greatnes of my Loſes Extending to above 900000 merkſ (the proportioun qrof in perthſchyre is valued and regrat) And have receaved nothing as yit frae the publict for my releiff 3o Inreſpect that theſe fyve yeirs Laſt bypaſt I had no rent payit to me neither is þr any probabilitie that my Lands can be planted for many yeirs to cum, And laſtlie becaus all execuun perſonall and reall is vſit againſt me and my eſtate for all my debts to the apparent ruine of my credit and eſtate Lykeas it is knowne that it is not in my default Nor throw any miſcareage in me the ſame hes proceidit, vnleß my refuſeing to comply with James Grahame and the reſt of the rebellſ for ſaftie of my eſtate be ane fault qlk can not be acknowledged to be any ffor I did choyſe rather to indure the vttermoſt of þr malice and violence then to have correſponded with or conneived at them in the Leaſt meaſor Being alſo confident that the kingdome wold not ſuffer my familie to be ruined for my fidelitie and affection to the cauſe and covenant MY humble ſupplicaun þfore to this honn and heigh court of Parliament is That yor honorſ wold be pleaſed in conſidderatioun of the premiſſ To tak my ſad and deplorable condition to yor ſerious conſidderatioun and to tak ſome effectuall courſe qrby I may enabled to ſubſiſt and mak tymeous ſatiffactioun to the ſaids Lyfrentrices and other creditorſ and that by yor honorſ care the ruine of my eſtate and familie may be prevented Thus I have laid my ſad conditioun with my perſone and eſtate at yor honorſ feet to be diſpoſed on as ſhall ſeame good in yor eyes and if I periſh I periſh, Bot I ſhall hope for better things at yor honorſ hands and be confident that this honn parliament (According to the Covenant and clauſe abonewrittin þin contenit) will take courſe to preſerve from ruine on familie qch hes ſuffered ſo much both in blood and meanes for the cauſe and is in ſo ſingular diſtreſſed conditioun everie way In doeing qrof yor honorſ will perform ane great act of mercie and juſtice and encourage me and myne and all honeſt men to ſrve yor honorſ faithfullie adheare to the Covenant conſtantlie And pray to God for his bleſſing vpon yor endeavours daylie And yor honorſ favourable and tymeous Anſr

13 ffebrij 1649

Red in audience of the part and remitted to ane ſelect comitte of twa of eache eſtaitt to be nominat quhen the part rayſes with power to thame to tak the ſupplicaun abonewrettin to conſideraun and think vpoun ſome effectuall ſupplie and to repoirt thair opinioun to the part]

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XV FEBRUARII.

ACT for putting the Kingdome in a posture of defence.

89 THE Eſtates of Parliament, now preſently conveened in this ſecond Seſsion of the ſecond Triennall Parliament by vertue of an Act of the Committee of Eſtates, who had power and Authority from the laſt Parliament for conveening the Parliament, Conſidering that it hath been the ordinary practiſe of former Parliaments, and eſpecially ſince the beginning of theſe troubles, to put the Kingdom in a Poſture of Defence, for preventing all dangers from Forraign invaſion, or Inteſtine inſurrection: And finding themſelves obliged according to the truſt repoſed in them, to preſerve the Peace of the Kingdom from all the evils and practiſes of ſuch as labour to ſubvert Religion and Government, and diſturb the peace of the Kingdom, They have therefore reſolved (the better to keep his Majeſties Subjects in a dutifull obedience to the Laws and publick Judicatories, and in a Chriſtan unity among themſelves) That this Kingdom be preſently put in a Poſture of Defence; And for the better and more ſpeedy effectuating thereof, They have nominated and appointed, and hereby nominates and appoints the perſons underwritten, To be Colonells or Commanders of Horſe and Foot within the ſeverall Sheriffdoms, and bounds thereof, as well to Burgh as Landward reſpectivè, viz. For the Sheriffdom of Edinburgh principall to Landward, The Lord Balmerino or his ſon, the Lord Torphechin, the Laird of Riccardtoun Craig, the Laird of Niddrie, the Laird of Ingliſtoun, the Laird of Libertoun. For the Conſtabularie of Hadingtoun, the Laird of Wauchton, the Laird of Ormeſtoun, the Laird of Smeton Hepburne. For the Sheriffdom of Peibles, the Earl of Tweddell, the Laird of Glen younger. For the Sheriffdom of Berwick, and Bailliarie of Lauderdail, the Lairds of Wedderburn elder and younger, the Laird of Swynton younger, the Laird of Blacader. For the Sheriffdom of Roxburgh, and the Lord Bucleughs part of Dumfreis, which he had in Anno 1643. The Earl of Lothian, the Earl of Bucleugh, the Laird of Greenheid. For the Sheriffdom of Selkirk, Walter Scot of Whitſlaid. For the Sheriffdom of Lanerk, the Earl of Angus, ſir Walter Stewart of Allantoun, ſir William Carmichael, the Laird of Preſtoun. For the reſt of the Sheriffdom of Dumfreis, Mouſwall, Craigdarroch. For the Shire of Fife and Kinroſhire, the Earl of Kincairdin, the Lord Elcho, the Lord Burghlie or his Son Scottiſcraig, Sir James Lumſden, the Laird of Fairny, Sir James Hacket, ſir William Dowglas. For the Shire of Forfar, the Lord Brechine, the Laird of Edzell, the Laird of Tiline, the Laird of Brigton. For the Shire of Perth, the Lord Cowpar, the Laird of Freeland, ſir John Broun, the Laird of Glenegeis, ſir George Preſtoun. For the Shires of Stirling and Clakmannan, The Laird of Buchanan, Sir Charles Erskine, ſir William Bruce. For Linlithgow Shire, the Lord Torphechin, the Laird of Dundas younger, the Laird of Hilderſtoun. For the Shires of Argyle and Dumbartan, with the Iſles (except the Lewis) and Moidert, Knoydert, Areſcet and Lochaber, the Marquis of Argyle, the Laird of Maccleud, Ardkinglas, the Laird of Lochgell, the Laird of Fulwood. For the Shire of Bute, ſir Robert Montgomrie younger, or his ſon, Hector Bannatyne of Kammes. For the Shire of Wigtoun and Stewartry of Kirkcudbright, the Earl of Caſſils, the Lord Kirkcudbright, the Sheriff of Galloway, ſir Robert Adair, the Laird of Earliſtoun, Colonell William Stewart, the Laird of Bargattoun. For the Shire of Air, the Lord Chancellor, the Earl of Eglintoun, the Earl of Caſſils, the Lord Cathcairt, the Laird of Ceſnok, the Laird of Gaitgirth, the Laird of Grenok younger, the Laird of Pollock, the Laird of Howſton, the Laird of Cuninghamheid. For the Shire of Kincardine, the Viſcount of Arbuthnot. For the Shire of Aberdeen, the Lord Fraſer or his ſon, the maſter of Forbes, the Laird of Eicht, the tutor of Pitſligo. For the Shire of Caithnes, the Laird of Dumbeath, Francis Sinclair grand Uncle to the Earl of Caithnes. For the Shires of Inuernes and Cromartie, except thoſe parts thereof, which in the former Act of poſture is either joyned to Elgine or Argyle, the Laird of Balnagowne, ſir James Fraſer, Inuerbrachie, Obſdail. For the Shires of Elgine and Nairn, with that part of Inuernes, joyned in the Act of Poſture aforeſaid, the Laird of Brodie, the Laird of Lethem or his ſon, the Laird of Duffus or his brother. For the Shire of Sutherland, the Earl of Sutherland. For the Shire of Bamff, the Laird of Kempcairne or his ſon. For the Town of Edinburgh, ſir James Stewart Proveſt.

AND ſiclike, The Eſtates of Parliament, do hereby nominate and appoint the perſons after following, to be Commiſſioners and Committees of War within the ſeverall Shires of the Kingdom, as well to Burgh as to Land, in manner and to the effect following: They are to ſay, In the ſheriffdom of Edinburgh principall, Francis Earl of Bucleugh, William Earl of Lothian, John Lord Borthuik, John Lo: Torphichin, John Lord Balmerino, Maſter of Balmerino, Mr. John Inglis of Crawmond, Sir Alexander Inglis of Ingliſtoun, Mr. James Scot of Bonintoun, Mr. Laurence Scot of Bavelaw, David Macculło of Guidtrees, ſir Archibald Johnſtoun of Wariſtoun, Borthuick of Cruikſtoun, ſir John Scot of Scottiſtarvet, Thomas Craig of Riccartoun, Sir John Wauchope of Niddrie, Maſter George Wynrahame of Libertoun, of Cambo, William Murray of Herdmanſtoun, William Borthuik of Halheriot, Robert Dobie of Stannyhil, Samuel Michelſone, portioner

of Middeltoun, of Southſide, Mark Caſſe of Cockpen, Robert Porteous younger, Alexander Calderwood, James Dowglas of Cliftounhall, James Sandielands of Murehous Diks, ſir John Smith of Grottell, James Dowglas of Bauds, Mr. Robert Smith, John Hamiltoun of Murrays, ſir John Hope of Craighall, ſir Joſeph Dowglas of Pumpherſton, Peter Rollock of Piltoun, Mr. Samuel Johnſtoun of Scheanes, Walter Scot in Leſwaid, Stevenſon of Hermieſcheils, William Dowglas of Gogar, ſir William Scot of Clerkingtoun, Sir William Dick of Braid, James Roucheid of Craig of Inuerleith, Dundas of Newliſtoun, Laird of Cakmure, William Purves Bailies of Muffelburgh, Thomas Magget of that ilk, Alexander Craig; And the ſaids Eſtates appoints the ſaid ſir Archibald Johnſtoun of Wariſtoun to be Conveiner for the firſt meeting.

IN the Conſtabularie of Hadington and Bailiarie of Lauderdail, John Earl of Tweddell, Archibald Lord Angus, Laird of Wauchton, Laird of Ormeſtoun Laird of Preſtoun, Laird of Elphingſtoun elder and younger of Smetoun Keith of Barfurd of Beinſtoun of Congiltoun of Elvingſtoun, Mr. John Pringle of St. Germanes, Sir William Dick of Braid, Mr. James Ramſay of Fawſide, John Hepburne of Craig, Andro Hamilton Tutor of Reidhouſe, Andro Cowper of Fentounbarnes of Wedderburn, William White of Markill, David Wilkie of Dolphingſtoun, John Hamiltoun of Oyleſtobe, Thomas Turnbull of Skeddisbus, Laurence Henderſon of St. Laurence, Mr. John Butler of Kirkland, Robert Achieſone of Sidſerf, Levingſtoun of Saltcoatts Gleghorne, Mr. Robert Hodge, James Skervene of Plewlandhill. For the Burgh of Hadingtoun, John Sleigh, or George Brown, or John Aytoun. For the Burgh of Dumbar, William Purves, or John Purves, or Thomas Kellie. For the Burgh of Northberwick, John Levingſtoun, or George Home: And the ſaid Eſtates Appoints the Laird Smetoun elder to be Convenor for the firſt meeting.

IN the Sheriffdom of Peibles the Earl of Tweddel of Dawick elder; Andro Hay of Hayſtoun, Mr. John Hay ſiar thereof, Mr. James Lawſon of Cairnmure, Mr. Alexander Burnet of Carlingloups, Walter Murray ſiar of Halmyre of Glen younger, William Ruſſell Portioner of Slipperfield, Captain John Murray of Rolmanno, ſir James Murray of Skirling, James Naſmith of Poſſo: Robert Hunter of Polmuid, William Twedie of Wrae, Patrick Porteous of Hailkſhaw, Thomas Geddes in Mosfennan, Archibald Hamiltoun, Tutour of Coltquot, John Grahame portioner of Slipperfield, Mr. Patrick Brown of Stevinſtoun, Thomas Twedie younger of Olipheer, Robert Pringle of Chapelhill, James Dowglas of Cowthropie, James Dowglas Portioner of Lintoun, Thomas Chiſholme of Hairhope, John Dickſon of Hairtrie, The Proveſt of Peibles, or any one of the Bailyes; And the ſaid Eſtates Ordains Glen younger, to be Conveener for the firſt meeting.

IN the ſheriffdom of Selkirk, the Earl of Bucleugh, ſir William Scot elder, of Harden, ſir John Murray of Phillophauch, ſir William Scot younger of Colonell Walter Scot, Walter Scot of Whitſlaid, Patrick Scot of Thirlſtane, William Scot of Mangerton, James Scot of Gallowſcheils, William Scot of Sintoun, James Pringle of Torwoodlie, Pringle younger of Whytbank, James Pringle of Newhall, Andro Ker of Sunderlandhall, William Scot of Tuſchelaw, Robert Scot of Browhill, Andro Scot of Braidmedows, John Scot of Gilminſcleuch, Gedion Murray of Sundhoup, Archibald Ellet of Phillop, George Curror of Howdoun, Thomas Scot Baily of Selkirk, Thomas Haliewell late Baily there, Thomas Scot of Todrig, Archibald Ellot of Midleſteed, William Ellot of Stobbis, Gilbert Ellot younger thereof, William Scot younger of Heidſhaw, Robert Scot of Hartwoodmyrs, And the ſaid Eſtates Appoints to be Conveener for their firſt meeting.

IN the Sheriffdom of Berwick, Earl of Leven Lord Angus Craighall, of Tofts Wedderburn elder and younger of Wauchton of Blakater Swyntoun elder and younger, ſir William Scots elder and younger of Harden of Coldinghamlaw of Stitchell of Smetoun, Mr. George Home of Kimmerghame, ſir John Wylkie of Edingtoun, Hary Carmichael, Patrick Home of Broomhouſe, Maſter Patrick Home of Huttonbell, James Home of Caſtellaw of Blairnairn elder, John Home of Kello, John Ker of Merſingtoun, John Home of Ninewalls, Walter Pringle of Frierknow, of Wedderlie younger, James Home of Whitſumehill, Mr. Robert Swintoun, Gilbert Lawder of Neſbet, John Erskyne of Dryburgh, James Halyburton at Dryburgh, Patrick Boig of Burnehouſe, William Somervell, of Hiltoun: And the Laird of Wedderburne to be Conveener.

IN the ſheriffdom of Drumfreis and ſtewartrie of Annandail, Mr. George Dowglas of Pengerie, Archibald Dowglas of Dornok, Robert Ferguſſone of Craigdarroch, James Dowglas of Mouſwall, Walter Scot of Whitſlaid, John Creichton of Crawfurdſtoun, Thomas Ferguſſone of Caitloch, Andro Cuningham of Sleid, Mr. William Ferguſſone younger of Caitloch, John Wilſon of Crogleane, Patrick Scot of Thirleſtane, William Wilſon of

Land, John Dowglas of Stanehous, John Welſh of Collieſtoun, James Kirk of Sundaywell, Andro Scot of Braidmedows, James Greirſon of Dalgoner, Robert Kirkpatrick of Cloisburne, William Huntar Tutor of Ballagane, Archibald Johnſtoun of Clachrie, Francis Scot of Cairtertoun, Matthew Wilſon in Greinehill, James Dowglas of Mortoun, Walter Scot of Arkiltoun, John Scot younger called of Headſchaw, Thomas Macbirnie Proveſt of Drumfreis, Robert Ritchertſon Baily there, John Cuningham Baily there, John Burgeſs Baily there, Laurence Davidſone Proveſt of Sanquhar, Robert Bartan Burgeſs of Drumfreis, the Proveſt of Drumfreis to be Conveener for the firſt Dyet.

IN the Sheriffdom of Lanerk, Archbald L. Angus, ſir Will. Carmichael, Sir James Stewart of Kirkfield, Sir Walter Stewart of Allantoun, and Stewart his Son, ſir John Wilkie ſir John Cheiſſie ſir James Hope, of Scottiſcraig of Nether-pollok, of Ker-houſe of Preſtoun of Dalyel of Silvertounhill elder, ſir Daniel Carmichael James Carmichael Vdſtoun and his ſon of Halcraig of Dalſerff, of Airdrie of Woodhall of Barncluch, George Lochart of Tarbrex, William Lowrie of Blaikwood, John Mure of Anneſtoun of Knewhobilhill elder, James Stewart Tutor of Caſtelmilk, Mr. John Dickson of Busbie, Mr. John Carmichael Commiſſar of Lanerk, Robert Denholm of Weſtſcheils, Walter Hamiltoun of Neatherfield, Ja: Cunningham of Bonitoun, Ja: Cuningham of Coblehaugh, John Weir of Cloburne, William Broun of Dolphintoun, John Weir younger of Newtoun, John Hamiltoun Chamberlain of Hamiltoun, Geo: Weir of Hairwood, James Bailey of Todhoils, James Hamiltoun of Neilsland, William Hamiltoun younger of Maynes, Gavin Hamiltoun of Mylnehous, James Dalyell of Johnſtoun, William Home Burgeſs of Glaſgow, Mr. John Spreull Clerk of Glaſgow, John Grahame late Baily of Glaſgow, William Anderſon younger of Newtoun, James Dickſon of Stane, Alexander Baily of Calends, maſter William Broun of Mylnerig, Robert Dalyell of Weſtredmyre, the Proveſt and Bailies of Glaſgow, the Bailies of Lanerk, Gedeon Jack of Braxfield, Andro Pincartoun for Rutherglen, Andro Hamiltoun of Overtoun, James Alexander in Hill of Drips, Thomas Pettigrew in the Barony of Glaſgow, John Pirie Chamberlain of Mauldſlie, William Gray of Gartquene, William Kennedie of Achtyfardell, ſir Walter Stewart of Allantoun Conveener.

IN the ſheriffdom of Linlithgow, John Lord Torphechin, the Lairds of Dundas, elder and younger, ſir Lodowick Howſtoun of that ilk of Bonhard of Bathgait of Hilderſtoun of Dudingſtoun Dundas, ſir Robert Drummond of Medhope, ſir Joſeph Dowglas of John Hamiltoun of Boighall, Mr. James Eiſtoun of Cowſtoun, maſter James Whytheid of Park Inglis of Ingliſtoun Schairp of Howſtoun, maſter David Hay of Woodcokdail, Francis Dureham of Duntarvie, of Polkemmet, Francis Galloway of Toddiſhaugh, John Gillone younger of Walhous, of Grange, maſter David Peibles, Thomas Clarkſone of Couſland, William Dundas, Lewis Monteith Proveſt of Linlithgow, James Campbell there, Robert Cuthbertſon there, George Allane in Borrowſtounneſſe, John Dick and John Elder younger in Queensferrie, Patrick Young of Killiecantie, James Turnbull of Gormyre; The Laird of Dundas Conveener.

IN the ſheriffdom of Dumbartan, the Lord Marquis of Argyle, John Colqhoun of Luſs, Walter Macawlay of Ardincapils, Aulay Macawlay younger of Ardincapill, John Macfarlane younger of Arraquhair, Duncan Campbell of Carrik, Coline Campbell of Ardintonnie, John Denneſtoun of Colgrene, William Buntene of Ardoch, Captain George Noble of Kiperminſheuche, John Denneſtoun of Dalquharne, John Semple of Stanyflet, John Semple of Dalmock, Mungo Lindſay of Bonhill, Robert Hamiltoun of Barnes, Hew Crawfurd of Cloberhill, William Stirling of Law, John Dowglas younger, of Kayſtoun, John Colquhoun of Kilmardinning, maſter James Fleming of Barlouch, James Fleming of Oxgang: The Proveſt and Bailies of Dumbartan, Patrick Ewing, the Laird of Luſs Conveener.

IN the ſheriffdom of Wigtoun, John Earl of Caſsils, ſir Patrick Agnew of Lochnau, Sir Robert Adair of Kinhilt, Andro Agnew apparent of Louchnaw, Alexander Macdowell of Logane, William Gordoun of Craichlaw, John Macculloch of Mertoun, Thomas Hay of Park, Colonel William Stewart of Caſtelſtewart, Gilbert Neilſon of Craigcaffie, William Adair apparant of Kinhilt, Patrick Macdowell apparant of Logane, Ochtrie Macdowell of Freuch, Alexander Macculloch of Ardwall, David Dumbar of Baldune, Patrick Agnew of Sewchane, John Cathcart of Gannoch, Hew Macdowell of Knokglaſſe, William Maxwell of Munreith, Hew Kennedie of Sinnones, William Gordoun of Grange, Francis Hay of Arkland, William Kennedy of Kileſpie, Andro Macdowell apparent of Kilester, Patrick Agnew of Wige, Alexander Agnew of Mac-Croach, Andro Macdonald of Leſnoll, William Howſtoun of Cottroch, Robert Macculloch of Drummorell, Patrick Gordoun of Glaſnick, James Macculloch Burgeſs of Whithorne Thomas Adair Proveſt of Stranrawer, John Kennedie Baily to the Earl of Caſsils, Adam Mackie Baily of Wigtoun, Gilbert Neilſon ſiar of Craigcaffie; And the ſaid

Patrick Agnew of Sewchane to be Conveener for their firſt meeting.

IN the Sheriffdom of Roxburgh, The Earl of Bucleugh, the Earl of Lothian, ſir William Dowglas of Cavers younger, ſir Walter Riddell of fir Thomas Ker of Cavers, Sir William Scots elder and younger of ſir Andro Ker of Greenheid, Archibald Dowglas ſiar of Cavers, Andro Ker of Lyntoun, William Ellot of Stobs, William Ker of Newtoun, Gilbert Ellot of John Ker of Lochtour, Gedeon Scot of the of Langlands, of Gawdielands, and St. Aneſch, John Scot of Gorinberrie, Robert Scot of Braidhauch, Gedeon Wauchop of John Rutherfurd of Edgertoun, John Rutherfurd of Bankheid, John Rutherfurd of Caphope, Andro Ker of Whittoun, Mr. William Moir of Otterburn, Robert Ker of Midlemeſtwells, John Ker of Carneheſtiers, John Dowglas of Garvet, Robert Ker of Cadinſide, John Haliburtoun of Murehouſlaw, William Ker of Swyneſyde, Andro Ker ſon to Sir Thomas Ker of Gilbert Ker ſon to of Lochtour, of Huntbill younger, Robert Pringle of Stitchell, James Ker brother to the Laird of Tynes, Henry Crainſtoun, John Scot of Breiryears, Mr. Gilbert Eliot of Craigend, Walter Riddell, portioner of Bewlie, Andro Riddell of Newhouſe, George Moſcrop, James Haſwell, Robert Rutherfurd, Mr. John Broun, John Rutherfurd Baily, Andro Ker of Meſendew, John Ker brother german to ſir Andro Ker of Greinheid, Robert Dickſon in Ednem, ſir William Dowglas of Cavers, Archibald Dowglas his ſon to be Conveeners.

IN the ſheriffdom of Air, The Earl of Lowdoun Chancellour, the Earl of Eglintoun, the Earl of Caſsils, the Lord Cathcart, the Lord Roſs Cuningham of Cuninghamheid Blair of that ilk, Lairds of Rowallan elder and younger, Laird of Crawfurdland, Laird of Corſhill, Laird of Dunlop, Laird of Ralſtoun Bedland Cunningham Montgomerie of Lenſchaw younger, Laird of Auchnames Laird of Horſlet, the three Lairds of Skelmurlie, Lairds of Biſhoptoun elder and younger Barklay of Pearſtoun Laird of Adamtoun younger, Laird of Huntartoun, ſir William Scot of Clerkintoun, Laird of Doukathall, maſter Robert Barclay John Reid, Robert Broun, Laird of Craig younger Cunningham of Hillaketh, James Campbell in Newmils, Laird of Halpland, Walterſtoun younger, Lieutenant Colonell Crawfurd in Kelſoland, James Blair Baily of Irwing, Adam Blair of Lochwood, Laird of Ceſnok, Laird of Kerſs, Laird of Gaitgirth, Laird of Corsby, Laird of Bar, Laird of Gilmeliſcroft, Laird of Galſtoun, Laird of Sornbeg younger, Laird of Kingeancleuch, Laird of Waterheid, Laird of Park, Laird of Stane, Laird of Enterkin, La. of Netherskeldoun, La. of Horſcleuch, La. of Schankiſtoun, Laird of Garrive, Hew Kennedy Proveſt of Air, Adam Ritchie, John Osburn, James Chalmeris, Ferguſſone, Laird of Monkredeing, younger, Edward Wallace younger of Sewaltoun, John Birsbain younger of Biſchoptoun, Laird of Collen, Laird of Carletoun, Laird of Grimotſchaw, the three Lairds of Kirkmichaells, Lairds of Penkill elder and younger, Laird of Balloch, Laird of Keirs, Laird of Kildonald younger, Gilbert Kennedy of Dangher, Adam Whitfurd, Fergus Mac-cubene, Mr. Hew Cathcart, Laird of Balimoir, Major William Stenart, Laird of Trochrig, Laird of Clackrie of Davenie, William Wallace of Failfurd, Gilbert Ritchart baily of Air, James Blair of Mounktounmains, James Blair baily of Irwing, Rowallen elder conveener.

IN the Shrieffdom of Renfreu, The Earl of Eglintoun, the Lord Roſs, Howſtoun of Blair of Netherpollock of New-wark. of Craigance of Grenock elder and younger of Biſchoptoun elder and younger of Fulwood of Dowchall elder and younger of Barochan of Cauldwell of that ilk of Ralſtoun of Glanderſton of Cathcart of Southbar of Weitlands of Alderſly of Walkinſchaw younger, William Home John Sempil of Bridgeend, James Stewart tutor of Caſtlemilk of Kellie of Roſſland, James Alexander, and John Spreul burgeſſe of Paslay, John Spreul Proveſt of Renfrew, Howſtoun conveener.

IN the Shrieffdom of Argyle, Sir Robert Campbell of Glenurquhy, ſir Duncan Campbell of Auchenbrek, Duncan Campbell of Dundron, Coline Campbell of Inverliver, Archibald Campbell Captaine of Craignes, Maſter Dowgall Campbell of Lag, Hector Macneill of Thynes, Hector Macallester of Loup, Maccolme Macnachtan of Dundarrow, Archibald Campbell of Glengarradal, John MacCloyd of Dunvagan, ſir Donald Mac-Donald of Slaitt, John Macronald of Ilantyrum, Captain of Clanrannald, Alan Cameron of Lochgell, or Donald Camron his ſonne, ſir Donald Campbell of Ardnamurchan, ſir Lauchlane Macleane of Dowart, Murdo Macleane of Lochbowie, James Campbel of Ardkinglas, Archibald Campbel of Kilmund, Coline Campbell of Straquhir, Archibald Campbell of Otter, ſir James Laumont of Inueryne, Lauchlane Maclauchlane younger of that ilk, John Campbell of Lochinnell, Archibald Campbel Captain of Dunſtaffnes, George Campbell Tutor of Calder, John Mac-

Dowell of Ragra, John Campbell of Ardchattan, Alexander Macdowgall Dunnoloygh, Geo. Campbell ſheriff depute of Argyle, The Laird of Glenurquhy, or in his abſence Auchinbreck to be conveener.

IN the Shrieffdom of Clakmannan, The Marques of Argyle of Scottiſcraig, Sir Charles Erskene of the old Laird of Clakmannan of Duncrub elder and younger, maſter Robert Bruce of Samboile, ſir James Hope of John Scotland of Dollorbeg, ſir John Erskene of Balgonie, maſter William Blaikburne, Thomas Rollock Andro Erskene in Alloway, Thomas Anderſon there, Lieutenant Colonell William Bruce, Thomas Scotland in Dollorbeg, James Hadin of Monteith of Weſt-quarter, William Bruce, and the ſaid Thomas Rollock to be Conveener for their meeting.

IN the ſheriffdom of Fyffe, for the Presbyterie of Kirkcaldie, the Laird of Arnot, elder and younger, the Laird of Inchdairne, ſir James Melvill of Halhill, Laird of Kirkneſs, Laird of Fyngask, Laird of Balfarge, Laird of Finmont, Laird of Caskibyrion, Laird of Balbirnie, David Auchmoutie of Drumeldrie.

FOR the Presbyterie of Dumfermling, General Major Howburne, Laird of Balmule, ſir John Erskene of Laird of Ballo, Laird of Balbugie, Laird of Cleich, Laird of Tilliboil, ſir Henry Wardlaw of Pittreven, maſter Alexander Colvill of Blair, Laird of Spencerfeld, Mr. Robert Bruce of Gellets, Mr. Robert Preſtoun Lairds of Fordell elder and younger, Laird of Luchart, Laird of Bathrick, Robert Hacket.

FOR the Presbyterie of St. Andrews, Laird of Naghton, Sir Thomas Nairn of David Young Lairds of Earlſhall elder and younger, David Balfour, William Goodman, of Rankell, Lairds Auchmowtie elder and younger, William Alexander of Byerhills, ſir James Lumſden elder of Laird of Kincraig, ſir John Carſtaris of Kilconquar, Laird of Pitlethie, Laird of Balkaskie, James Binei of Dininoe, Laird of Lethous, ſir James Monypenny of Laird of Scottiſcraig, Conveener for the firſt meeting.

FOR the Presbyterie of Cowper, ſir John Hope of Craighall, Generall Major John Leſlie of Myres, Laird of Lethrisk younger, Lairds of Collarnie elder and younger, Lairds of Roſsie elder and younger, Laird of Mongothame, Lairds of Fairney elder and younger, Laird of Creigh, Mr. David Ramſay, Laird of Atton, Laird of Unthank, Laird Den mill, Lairds of Woodmylne elder and younger, Laird of Donmoor, Thomas Oliphant of Laird of Forther, David Lunde of Drums, ſir William Beatoun of George Paterſone in Falkland, Laird of Grimſtoun elder and younger, Coline Campbell of Lundie younger, Laird of Romarnie, Thomas Spence of Lethalone, James Lundie of Straearlie of Moncrieff, Laird of Rankelour, Macgill elder and younger, Laird of Kincraig, Laird of Corſlain, Laird of Kennoquhy, Mr. Andro Aytoun of Fynglaſſe, Andro Arnot of Capledrae.

IN the Burghs of Fyſe and St. Andrews, James Watſon Proveſt, James Wood, James Sword, James Taylour bailyes, & James Lentron. Cowper, Geo: Jameſon Proveſt, John Glasfurd, John Sharp Bailyes. Carril, Andro Daw, Alex. Cunningham. Anſtruther eiſter, Will: Hamiltoun, Jo: Lyndſay. Anſtruther weſter, Andro Ritchieſon, Peter Tompſon. Pettenweim, Ja: Richardſon, Tho: Cuik. Dyſert, David Robertſon of Monturpie, John Gawye. Kirkcaldie, James Anderſon, John White. Bruntiland, John Brown, Magnus Ayton. Innerkeithing, Alexander Henderſon, Mark Duncan. Dumfermling, Peter Walker, James Reid. Kilrenie, Andro Houſtoun, and Arthur Erskine to be conveener for the firſt meeting.

THE Sheriffdome of Pearth, the perſons after nominated which are appointed to be divided into three ſeverall ſub-committees, with proviſion that any member whatſoever of the whole Committee ſhall bee free to meet in any of the three diviſions, and when any buſineſſe occurreth importing the good of the whole Shire, all three are to meet in one Committee at Pearth, and the firſt of the ſaids three ſeverall ſub-committees are appointed to ſit at Dumblane, and are comprehended within the Presbytery of Dumblane and Ochtourardor, and the Paroche of Culroſs, and the Commiſſioners names are theſe, viz. Arch. Marquiſſe of Argyle, the Earle of Kincardine, Sir John Halden of Glenegeis, the Laird of Bonhard, the Barron of Auchyle younger, Sir John Erskyne of Balgouny, Sir Robert Colvill of Cleyſche, Sir Charles Erskine of Ava, Arch. Stirling of Coldo, James Campbell of Clathik, the Lairds of Buchannan elder and younger, John Grahame of Bewhappill, John Buchannane of Arnpryer, Sir George Preſtoun of Valifeld, Robert Dempſter of Balduthy, William Hutton of Bellilisk, Maſter William Blackburn, the Laird of Leny, William Murray ſiar of Auchtertyre, Maſter Harry Cheape of Ormſtone, James Stewart of Arvorlich, Colein Campbell of Bochaſtell, the Laird of Knockhill, Thomas Bruce of Blairhall, James Erskine Burges of Culros, William Blair of Williamſtone, the Laird of Gask, Sir James Rollok of Duncrub younger, Maſter John Drumond of Leonach, David Drumond of Drummondernoch, and the ſaid Sir George Preſton to be convener for their firſt

meeting, and the ſecond of the ſaids ſub-committees to ſit at Pearth, comprehending the Presbytery of Pearth, and the bounds of the Presbytery of Dunkell by Weſt the water of Tay, and beneth the Kirk of little Dunkell, and the names of the Commiſſioners of that ſub-committee are theſe, viz. The Lord Angus, the Lord Elcho, Lieutenant Generall David Leſly, Sir John Moncreiff of that ilk, Sir Thomas Ruthven of Freeland, Sir John Brown of Fordell, the Laird of Laures, Sir William Auchinleck of Balmano, the Barone of Comrie, Sir David Carmichell of Balmedy, William Olyphant of Balgony, John Olyphant of Bachilton, the Laird of Eiſtermoncreiff, the Laird of Craigy, the Laird of Tippermalloch, Laurence Olyphant of Pitkethly, Andro Reid in Pearth, Robert Hay of Struy, the Laird of Balhouſſy, Matthew Moncreiff in Eiſter Rynd, William Moncreiff of Kintillo, William Olyphant in Forgon, Laurence Craigie of Kilgirſton, Maſter Patrick Pitcairne, and Maſter Thomas Murray conjunct Sheriff Deputies of Pearth, the Laird of Leyis, George Hay of Kirkland, Sir John Dundas of Fingaſk, John Campbell of Aberlednock, Maſter Harry Stewart, Maſter John Olyphant of Colteocher, Thomas Meingeis of Togermach, of Buchattie, George Bruce of Copmalindie, the Bailies of Pearth, Patrick Roſs in Pearth, John Barclay there, Andro Lundy of Proveſt-mayns, John Brown of Horne, George Morgle of Tippermuir, Mitchell of Kincarroch, Hew Craigy of Dumbarny, Sir Robert Bruce of Clakmannane Knight, the Lairds of Glenorquhy elder and younger, and the ſaid John Olyphant of Bachilton to be conveener for the firſt meeting, and the ſaid third Committee to ſit at Couper, and comprehending the five Kirks of the Preſbytery of Miggill, the ſeven Kirks of the Eiſt Larſs, and the Kirks of the Preſbytery of Dunkell by Eiſt the water of Tay, and town of Dunkell, and the names of Commiſſioners of that ſub-committee are theſe, the Lord Coupar, William Fullerton of that ilk, Gilbert Campbell of Kethik, George Campbell of Crunin, Colline Campbell of Denheid, the Laird of Bamff Ramſay, the Laird of Ardblair, John Blair of Pittindreich, the Laird of Craighall younger, George Campbell Lundy, Colleine Campbell, ſier thereof, the Laird of Inchture, Laurence Blair of Drumie, Patrick Robertſon of Littleton, James Mackgruder in Cairhill, Patrick Haliburton of Bauthrie, George Chalmers of Littlelour, James Halliburton of Buttergask, Ronald Brown portioner of Eliot, Alexander Ramſay of Jordanſton, Mr. David Kinloch of Bandoche, Alexander Robertſon of Downe, Major George Brown, Alexander Robertſon of Eiſter Straeloch, John Ireland of Milnhorne, Donald Campbell of little Kethik, Sir William Blair of Balgillo elder, Alexander Ramſay of Balwaird, the ſaid laird of Ketheik to be conveener for the firſt meeting.

IN the Sheriffdom of Forfar, The Marqueſſe of Argyle, the Earl of Panmure, the Viſcount of Arbuthnot, the Lord Brechin, the Lord Cowper, the Lord Balmerino, the laird of Edzell, the laird of Brightoun, the laird of Teiling, the Laird of Ruthven, the lairds of Fendowrie Elder and younger, the laird of Balzordie, the laird of Balfour, the laird of Brathinſche, the laird of Melgin, the laird of Coſſines, the laird of Balgillow elder, the laird of Kirktoun-ſerymgor, the laird of Duntrune, the laird of Eaſter Seatoun, the laird of Lundie, the laird of Carſgownie, the laird of Fordellbroun, the laird of Grange elder, the laird of Weſter Kers, the laird of Balmukatie, Patrik Levingſtoun of Newtoun, the laird of Pitforthie, the laird of Scheilhill, the laird of Eiſter-killour, the laird of Blakſtoun younger, the laird of Burnmouth, the laird of Cominſyth younger, the laird of Arbeikie younger, Claihills of Baldovie, John Irnes younger of Baldovie, Robert Davidſon for Dundie, William Rodger there, Mr. George Haliburtoun there, John Skinner for Brechin, George Dempſter there, Andro Gray for Montroſs, James Mylne there, George Wood for Forfar, David Ramſay for Aberbrothok, and the ſaid laird of Lundie to be conveener for the firſt meeting.

IN the Sheriffdome of Kincardine, the Earle of Panmure, the Lord Brechine his ſon, the Viſcount of Arbuthnot, the Lord Fraſer, the Maſter of Fraſer, the laird of Leys, the laird of Monymusk, the Laird Leſley elder, the laird Leſley younger, the laird of Haygreen elder, the laird Haygreen younger, the laird of Fiddes, the laird of Balbigno, Sir James Ramſay of Benholme, Mr. James Skene of Rewmoir, the laird of Johnſtoun elder, the laird of Johnſtoun younger, the laird of Caterlyne, Robert Keith of Craig, Andro Barclay of Scheills, John Straton of Reidfurd, the laird of Stanypeth, the laird of Findowrie elder, Paul Symmer of Balnakettle, Mr. Patrick Fraſer of Balzordie, Patrick Scot life-renter of Glenbervie, and the ſaid laird Johnſtoun to be conveener for the firſt meeting.

IN the Sheriffdome of Bamff the Marqueſſe of Argyle, Alexander Ogilvie of Kempcairne elder, John Ogilvie of Kempcairn younger, Arthur Forbes of Eight, Mr. Walter Innes of Auchinluncart, John Grant of Ballendaloch elder, Walter Ogilvie of Poldavie, William Leſley of Birdsbank, John Innes of Knokorth, Berold Innes of Torcrie, George Spence of Tulloch, Mr. Alexander Dowglas of Downies, Patrick Weymes Baily of Bamff, Alexander Winchester there, James Ogilvie of Reidhythe younger, Mr. James Hay of Muldavat, William Gordoun of Newmylne, Alexander Urquhart of Dunlugus, James Stewart of Monbleton, Alexander Murray in Cullen, John Gardyne, Patrick Meldrum of Lichnet, Mr. Andro Hay of Torbrugh, John Leſley of Buchrome, Alexander

Leſley of Kinninvie, Allaſter Grant of Allachie, William Innes of Kinermonie, and the ſaid laird of Kempcairn or his ſonne to be conveener for the firſt meeting.

IN the Sheriffdom of Aberdeen, the Marqueſſe of Argyle, The Lord Fraſer, The Maſter of Forbes, the Maſter of Fraſer, the laird of Monymusk, the laird of Skene, the laird of Tolquhon elder, the lairds of Glenkindie elder and younger, The tutor of Pitſligo, the laird of Inneralochie, the laird of Leſley elder, the laird of Watertoun, Francis Fraſer of Kinmundie, the laird of Kermucks, the tutor of Cragievar, the laird of Pittodrie, John Forbes of Byth, William Forbes of Corſinda, Alexander Areskin of Rothmay, Duncan Forbes of Camphell, James Ogilvie of Weſt-Hall, John Forbes of Knokquharrie, the laird of Garneſtoun, Robert Forbes of Barnes, Arbuthnot of Kairngall, Thomas Forbes of Auchythie, John Leith of White-hauch, John Forbes of Largie, Alexander Keith of Midbeltie, Arthur Forbes of Innernochtie, Alexander Reid of Newbigging, Alexander Forbes of Auchintoule, Thomas Johnſtoun of Craig, Gilbert Skene of Dyce, James Forbes of Cloak, John Forbes of Afloun, Alexander Lindſey of Birnes, Mr. John Baird of Culbairdie, Mr. Alexander Dowglas of Drumdolo, Thomas Burnet of Sauchny, George Leith of Threefeild, Mr. Thomas Sandilands of Craibſtoun, the laird of Eight, the laird of Leſlie younger, Alexander Jaffray Baily of Aberdeen, John Jaffray, Mr. William Moir Baily of the ſaid Burgh, Walter Cochrane, Mr. James Sandilands, Mr. Robert Farquhair, Mr. Thomas Gray Proveſt of Aberdeen, John Gardyne in Craigſtoun, the laird of Meldrum, and George Simpſon of Udoche, and the ſaid laird of Kermucks to be conveener for the firſt meeting.

IN the Sheriffdom of Elgin and Narn, and a part of the Sheriffdom of Inuernes, the laird of Duffus, the laird of Finraſie, John Sutherlane his brother, the tutor of Duffus, Sir Ludovick Gordoun of William Brodie of Terie, John Innes of Leuchers, Alexander Brodie of that ilk, Patrick Campbell of Both, Mr. James Campbell of Moy, Alexander Brodie of Lethein, John Hay of Knokandie, David Dumbar in Garmouth, Mr. John Hay Proveſt of Elgin, Mr. William Dumbar, Thomas Warrane, Sir James Fraſer of Alexander Dowglas of Spynie, Sir Robert Gordoun of Walter Skynnaird, Boigis elder and younger Proveſt and Bailies of Elgin, and Sheriff of Murray, to be conveener for the firſt meeting.

IN Nairn, John Sutherland of Kilſtarie, Alexander Dumbar of Both, Hew Roſs younger of Clavach, Wil. Roſs elder of Clava, Joh. Roſs younger of Braidley, John Innes of Engiht, Hew Hay Tutor of Park, Alex. Brodie of Lethem, Alex. Brodie younger of Lethem, Mr. Alex. Dollos of Francis Brodie of Ballivat, James Cuthbert of Brechlyes, John Tulloch Burgeſs of Nairn, maſter James Campbell of Muy, Coline Campbell of Delneis, John Graunt of Moynes, and the ſaid Laird of Kilſtarie to be Conveener for the firſt meeting.

IN Inuerneſs, the Marquis of Argyle, ſir James Fraſer of the Laird of Macleud of Dunvegane, William Fraſer of Culboukie, the Laird of Struie younger, the Laird of Belladrum, Duncan Forbes of Cullodin, John Forbes Proveſt of Inuernes, the Laird of Rudwall, the Laird of Eskadill, the Laird of Rylick, the Laird of Finroſſie, William Baily of Dunaend, David Baily of Danchyle, Dougall Macpherſone of Balchroane, Angus Bailie of Kinkall, the Laird of Makintoſch of Holme, John Polſoun Baily of Inuerneſs, the Tutor of Cadell, Mr. Alexander Dollas younger, of Budgit, James Cuthbert of Brecklie Inverlochie, John Dollas in Arderſier, the Laird of Brei, Alexander Chiſholme of Comer, the Laird of Lethem, the Bailies of Inuerneſs, Major Murray, ſir James Fraſer, the Laird of Balnagoun, ſir John Sinclair of Dunbeth, Walter Innes of Inverbraikie, the Laird of Moy younger, David Roſs of Pitcalnie, Hector Dowglas younger of Mulderg, William Roſs of Grinord, Andro Macculloch Proveſt of Tayne, Hugh Monro of Contuliche, John Roſs younger of Littlecarrel, John Roſs of Aldie, Robert Innes of Calroſſe, John Corbet of Litlerain, Andro Monro portioner of Culkearne, Robert Monro of Obſdell, and the ſaid Robert Monro of Obſdel, to be Conveener in Roſs diviſion, and to meet at Tayne.

IN the Sheriffdom of Stirling, the Lord Marquis of Argyle, ſir Charles Erskene of Alvath, ſir James Levingſtoun of Kilſyth, the Laird of Buchanan, the Laird of Howſtoun, ſir William Bruce of Stanehous, ſir John Erskene of Balgonie, ſir James Hope of the Laird of Bonhard, ſir Robert Elphingſtoun of quarrell, Hary Elphingſtoun of Carſie, Thomas Elphinſtoun his ſon, Colonell Rae of Coltinghous, the laird Leckie, the laird of Achinreath, the laird of Buchanan younger, the laird of Kincaid, Robert Bruce of Kinnaird, Thomas Bruce Proveſt of Stirling, Duncan Nearne Baily, John Schort old Proveſt, Thomas Rollock, Chriſtopher Ruſſall Deacon Conveener, the Laird of Bannokburn, the laird of Boquhane Bruce of Achenbouey, the laird of Drumakeil, James Stirling of Baldernich, Mr. John Rollock, Monteith of Weſtquarter, the laird of Milhall younger, David Bruce in Alvath, James Guidlet younger of Abitſhauch, David Forreſt of Dinniveir, John Buchanan of Roſſe, John Buchanan of Caſley, the laird of Barrinſhogall, Thomas Buchanan of Boquhane, the laird of Auchinreoch, the laird of Balfoulls younger, William Grahame of Gartmoir,

John Buchanane of Auchinpryor, James Stirling of Achyle, James Boyd of Banuchell, maſter John Edmeſtoun, Tutour of Duntreth, Robert Forreſt of Queinſhauch, William Row in Bandeth, James Roſs of Newke, William Roſs of Seatres, Robert Forreſt of Rachahill, James Schaw of Dochquhirne, and the ſaid Mr. John Rollock to be Conveener for their firſt meeting.

IN the Stewartrie of Kirkcudbright, the Earl of Caſsils, John Lord Kirkcudbright, James maſter of Kenmure, Colonell William Stewart of Caſtelſtewart, William Grierſone of Bargatoun, Alexander Lennox of Calie, John Brown of Carſluith, John Fullertoun of Carletoun, Alexander Gordon of Earliſtoun, maſter William Gordoun his ſon, Richard Mure of Caſsincarrie, Alexander Mure his ſon, William Gordoun of Roberton, William Glendonyng of Gelſton, William Gordoun of Holme, William Gordoun of Schirmers, William Macclellan of Barſcub, Robert Gordoun of Kirkconnell, Alexander Murdoch of Calinloddan, Alexander Mackie in Polgoune, Robert Gordoun of Grange, David Arnot of Barkeaple, Robert Gordoun of Knokbrex, Alexander Gordoun Garlarg, Thomas Macclellan of Collein, Jo: Cutler of Orraland, James Tailyefair of Haircleuch, William Macculloch of Ardwall, Alexander Gordoun of Knokgray, John Gordoun his ſon, William Macclellan of Gribdie, John Carſan of Sannik, George Calendar Baily of Kirkcudbright, John Ewart of Mulloch, John Gordoun of Enrik, John Gordoun of Rufco, Robert Macclellan of Gata, John Glendonyng of Laggen, Gilbert Brown of Compſtoun, Herbert Irwing of Logan, John Kirk of Claſters, Patrick Mackie of Larg, Roger Gordoun younger of Traquhane, Thomas Rome of Lincluden, John Stewart of Sambellie, David Gordoun of Glenluce, and the ſaid laird of Cairltoun to be Conveener of the firſt meeting.

IN the ſheriffdom of Bute, ſir Robert Montgomerie younger of Skelmurlie, Hector Bannatyne of Kames, Ninian Stewart of Kilchattan, Robert Jameſon Crownar, Alexander Campbell of Pimner, Ninian Spence of Weſter Kames, Jo: Hamiltoun Baily of Arran, Ja: Stewart of Kilquinlick, Ninian Stewart of Askog, John Stewart of Ardriſmore, John Campbell, John Jameſoun Proveſt of Rotheſay, Robert Bannatyne of Cubas.

IN the ſheriffdom of Sutherland, John Earl of Sutherland, the laird of Duffus, Sir John Gordoun of Embo, John Sutherland of Clyne, ſir Robert Gordoun ſiar of Rubo, Alexander Gordoun of Uppat, Walter Murray of Putgrudie, Alexander Gun of Kilernane, John Gun of Barraboll, William Gordoun of Doll, Gilbert Gordoun of Sallach, maſter Robert Gray of Auchinlong, Patrick Dumbar of Kittell, Alexander Gordoun of Carrall, Alexander Gordoun of Siddrey, Hew Gordoun of Brora, George Gordoun of Bellietuith, Hew Gordoun of Moy, Alexander Gray of Opiſdail, Hew Gordoun of Ballone, Robert Murray of Poulroſſie, Robert Gray of Snardail, and the ſaid Rob. Gray to be Conveener for the firſt meeting.

IN the Sheriffdom of Caithnes, Francis Sinclair of Northfield, Sir John Sinclair of Dunbeth, William Sinclair younger of Mey, John Cuningham of Brounhill, John Dunbar of Hemprigs, Robert Innes in Thurſetter, David Monro Commiſsary of Caithnes, James Sinclair of Aſſerie, James Sinclair of Toftkemp, William Bruce portioner of Lyith, Robert Bruce his ſon, William Sinclair of Robert Murray, Baily in Thurſo, David Cadell of Skudell, Andro Denoone in Stangergill, Malcolm Groat of Warres, David Cogill of that ilk, and the ſaid Francis Sinclair of Northfield, to be Conveener for the firſt meeting.

IN the Sheriffdom of Orknay, Stewart of Maynes, Henry Stewart of Grinſay, Thomas Buchanan Sheriff, Mr. Henry Aitkin Commiſſar, Edward Cok, Magnus Talzeor, John Backie and Henry Prince Bailies of Kirkwall, Patrick Smith of Braco, William Sinclair of Saba, John Craigie of Sanday, Thomas Sinclair of Campſtoun, James Bakie of Tankernes, Edward Sinclair of Gyre, Edward Sinclair of Neſs, John Sinclair of Hamer, Adam Bellenden of Stenhous, David Hart of Riſland, Hew Halcro of Gruke, William Craigie of Gerſey, William Irwing of Gariſlay, Patrick Balfour of Faray, Thomas Trail of Holland, James Cok of Bea, John Grot of Elfnes, James Sea younger of Clayſtrame, Robert Stewart of Burgh, John Grot of Halſtoun, James Mudie of Melſitter, Hew Halcrow of that ilk, and the Laird of Maynes, or in his abſence Mr. Henry Aitkin to be Conveener.

WHICH perſons above condiſcended upon, and appointed to be Conveeners of the Committees of the ſeverall Shires for the firſt meeting are hereby ordained to advertiſe the foreſaids ſeverall Committees to keep the dayes of meeting reſpectivè after ſpecified, And for this effect, Ordains the Commiſſioners of the Shires, To advertiſe theſe who are appointed to be conveeners of the ſaids Committees in every Shire in due time, To keep the dayes and times of meeting reſpectivè underwritten, Viz. Theſe Committees upon this ſide of Forth betwixt and the firſt day of March next to come, And all theſe Committees benorth Dee, betwixt and the fifteenth day of March next to come, And thereafter once in the week, at the leaſt, at the head Burgh of the Shire, or any other convenient place they pleaſe; And the ſaids Committees are hereby authorized, after their firſt meetings to make choice of ſuch Conveeners amongſt themſelves from time to time, as they ſhall think fit: And the Eſtates of

Parliament Declares, That none of the perſons, either Colonels or Commanders, or upon the Committees of War of the ſeverall Shires, who are guilty of the crimes of the firſt or ſecond Claſſes of the Act of Claſſe made at St. Andrews, and fall under the firſt or ſecond Claſſe of the ſame, ſhall be either Colonells or Commanders, or upon the Committees of War reſpectivè aforeſaid, notwithſtanding of the nomination and election abovewritten: And likewayes, that none of the perſons, either of Colonels or Commanders, or upon the Committees of War foreſaid, who are guilty of any of the crimes contained in any of the four Claſſes of the Act of this preſent Parliament, and fall under any of the ſame, ſhall be either Colonells or Commanders, or upon the Committees of War reſpectivè foreſaid, (excepting ſuch perſons contained in the exception of the third Claſſe of the Act, as the Parliament upon certain knowledge hath, or ſhall think good to diſpenſe with) And the Eſtates of Parliament, do hereby grant to the ſaids Colonels and Committees reſpectivè, the power contained in the former Acts of Poſture in the years 1643. 1647. And any other Acts of Poſture, where holden as herein expreſt, which Acts the Conveeners of each Committee of War aforeſaid, are to have and keep beſide them, for the better proſecuting and obeying the Orders therein ſet down, With power alſo to inflict and uplift penalties for abſence from the ſaids Committees, and for any deficiency of the duties expreſſed and injoyned in the ſaids Acts of Poſture, and diſobedience of the Orders to be given by themſelves reſpectivè, according to the nature of the offence and quality of the offender. And for avoiding the great charge and expenſes the Countrey might be put to by training the whole fenſible men, The Eſtates foreſaid, do Ordain the ſaids Colonels and Committees of War, to cauſe train and exerciſe the number of Foot expreſſed in the Act of convention of Eſtates, and the double of the number of Horſe, expreſſed in the foreſaid Act, Anno 1643. or in the option of the Shire at the rate of a thouſand pounds of Rent, according to the preſent valuation, And that each Company of Foot and Troop of Horſe ſhall meet and exerciſe within their ſeverall Paroches, at a certain place of Rendezvous one day in the week under the pain of two ſhillings Sterling for each Horſeman, and one ſhilling Sterling for each footman that ſhall be abſent therefrae; And that a whole Regiment ſhall meet once in the moneth, under the double of the penaltie foreſaid, in caſe of falzie, for each deficient Horſman and Footman reſpectivè, and the ſaid reſpective penalties to be paid by the ſeverall Heretors and others Subject in putting out of the ſaid Horſe and Foot, in caſe of the abſence of the ſaid horſe and Foot at the ſaid Rendezvous, Which Rendezvous with the ſeverall places of meeting of the trained and exerciſed men, the ſaids Committees of War, with advice of the Colonels, are to appoint with all conveniencie after ſpeciall Order in writ had from the Committee of Eſtates, or Generall, or Lieutenant General to the Committees of War in the Shires. And the ſaids Regiments and Companies ſhall either in whole or in part keep ſuch Rendezvous and exerciſe within their Shires as the Committee of Eſtates or Generall Officers ſhall appoint, to the end they may be ſeen to be in good Order, well Armed, and in readineſs to oppoſe all Forraign invaſion and inteſtine inſurrection, when neceſſity ſhall require: And to the effect there may be a competent number of Horſmen as well as of Foot, trained and exerciſed in each Shire; Therefore the Parliament give power to the ſaids Committees of War, with the adviſe of the Colonels of the ſeverall Shires, to appoint ſo many Troops or Regiments of Horſe, as they ſhall think fit in place of the Companies or Regiments of Foot, allowing one Horſman well Armed in place of three Footmen.

AND it is hereby ſpecially declared, that if any perſon of the Committees of the warre aforeſaid ſhall be deficient of their duty, and neglect to put in execution the order ſet down in this preſent Act, or any of the former Acts of Poſture; They are not to have the benefit of any deduction that ſhall be made of the maintenance, but they, becauſe of their failzie, to be liable in the whole: And the Eſtates of Parliament doe permit and allow the ſaid Committees of Warre, to appoint ſuch of the Colonels or Commanders above nominated for the Shires reſpectivè, To train and exerciſe the ſaids Regiments, Troops, and Companies, in the ſeverall ſhires as they ſhall think fit, And by the advice of the ſaids Colonels or Commanders, to divide the ſaid trained men in Troops, Regiments, and Companies, in ſuch ſort as may conduce moſt to the good of the ſaids Shires reſpectivè; And in caſe of any difference betwixt the ſaid Committees and Colonels, or Commanders, That the ſame be referred to the ſaid Committee of Eſtates, To doe therein as they ſhall think beſt. And it is hereby provided that the Burrows royall ſhall have the like liberty and priviledge which they had in any former Acts of Poſture according to uſe and wont, And to the end all things relating to the peace and quiet of the countrey, may be carried on in an orderly way, The Eſtates foreſaids doe ordain a conſtant correſpondence to be keeped among themſelves, and with the ſaids Committees of the Shires reſpectivè, and the ſtanding Forces of the kingdome, And that frequent advertiſement be given of their proceedings, And of the condition of the ſeverall Shires, to the Parliament or Committee of Eſtates, to whom they ſhall be anſwerable for the diſcharge of the truſt committed to them, by this Commiſſion, which is to endure till the ſame be recalled by the Parliament, or committee of Eſtates; And all other former commiſsions for this purpoſe,

and nomination of Colonels and committees of the Shires, to be voyd and null in all time comming. And the Eſtates of Parliament gives hereby power to the committees of the Shires, that are ſpacious and large, to ſubdivide the Committees thereof, and to appoint the times and places of their meetings for the ſame, as the Committees of theſe Shires ſhall think fit, and as may conduce moſt for the furtherance of the publick ſervice and good of the ſaid Shires. And in caſe of difference anent the making the ſaid diviſions, the ſame to be determined by the Parliament or Committee of Eſtates, and theſe ſubdivided Committees are to act within their own diviſions, only the place being appointed. And the Eſtates of Parliament gives power, and authorizes the Committees of Warre within ilk Shire and diviſion, to fortifie one or more places within their bounds, as they ſhall think fit; the ſame being done with conſent of the party intereſt: or in caſe of difference upon the ſpeciall warrand of the Committee of Eſtates to that effect, and to appoint officers and ſouldiers for keeping thereof upon the expenſe of the ſaids Shires and Burrows therein. The ſaids Officers or Commanders thereof being alwayes ſuch as the Parliament or Committee of Eſtates ſhall approve of, and to continue ſo long as they find neceſſity; or that the ſame be diſcharged by Parliament or Committee of Eſtates. And ſicklike, Statutes and ordanes, that no ſervants, Cotters nor ſub-tennents to Burgh or Land, ſhall have power to remove from the Heretors, Liferenters, or Tennents, to whom they are ſervants, Cotters or Sub-tennents, without conſent of the Maſter of the ground untill Mertimas next, 1649. without diminition to them of their conditions or fees under the pain of an hundred pounds, to be paid by the Reſetter to the Heretor from whom they fled, and confiſcation to his uſe of the fugitives goods and geer, beſide the puniſhment of his perſon by the ſentence, and at the arbitriment of the Committee of the Shire, and ordains the Committees of Warre of the ſeverall Shires, to rectifie any inequality of the ſubdiviſions of the Shires, without diminition of the totall number of their men, appointed to be exerciſed within their Shires.

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90 DECREET againſt the Lord Halkertoun, one of the Senatours of the Colledge of Juſtice, &c.

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91 DECREET againſt Sir John Hamiltoun of Orbeſtoun Juſtice Clerk, &c.

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92 DECREET againſt Sir James Lokhart of Lea, one of the Senatours of the Colledge of Juſtice, &c.

. . . . . .

DECREET againſt William Earl of Glencarne Juſtice Generall, &c. 93

. . . . . .

XVI FEBRUARII.

ACT in favours of the Miniſters of Drumire and Kirkpatrick. 94

. . . . . .

ACT in favours of the Earl of Levin Lord Generall, &c. 95

. . . . . .

ACT in favours of Maſter William Twedie Miniſter at Slamanno. 96

. . . . . .

ACT in favours of John Duff and Chriſtian Allane. 97

. . . . . .

ACT in favours of Chriſtian Forret. 98

. . . . . .

ACT in favours of Robert Patoun. 99

. . . . . .

WARRAND to the Lord Chancellour to paſſe all Suſpenſions in matters concerning the Exchequer. 100

. . . . . .

ACT in favours of the Laird of Ardkinlas. 101

. . . . . .

ACT in favours of the Lady Lamount. 102

. . . . . .

ACT in favours of James Campbel Writer. 103

. . . . . .

ACT in favours of the Town of Monroſs. 104

. . . . . .

ACT in favours of the Town of Dundie. 105

. . . . . .

106 ACT in favours of the Parochine of Kirkcanders.

. . . . . .

107 COMMISSION for trying of William Mackornock.

. . . . . .

PROTESTATION by the Earl of Haddingtoun againſt the Act of Mynes and Minerals, with the Proteſtation in the contrare.

. . . . . .

XVII FEBRUARII.

ACT for keeping the Judicatories and places of truſt free of corruption.

108 THE Eſtates of Parliament taking unto conſideration, that the Lord our God requires that ſuch as bear charge amongſt his people, ſhould be able men fearing God, hating covetouſneſſe, and dealing truly; and that many of the evils of ſin and puniſhment under which the Land groans, have come to paſſe, becauſe hitherto there hath not been ſufficiently provided and cared for, And being ſenſible of the great obligation that layes upon them by the Nationall Covenant, and by the ſolemn League and Covenant, and by many deliverances and mercies from God; and by the ſolemn Ingagement unto duties to advance Religion & righteouſnes in the land, and fill places of power and truſt with men of approved integrity, and of a blameleſſe and Chriſtian converſation, And being convinced in their conſciences that there cannot be a more effectuall way for bearing down of malignants, and ſuppreſſing of prophanity, and iniquity, and ungodlineſſe, and rendring all the Lawes already made, or hereafter to be made forcible and effectuall for the honour of God, the advancing of Religion and Righteouſneſſe, and the good of the Leidges: Then that all the Judicatories of the Kingdome conſiſt of, and places of power and publick truſt be filled with able and honeſt men, Do therefore ſtatute and ordain, that no perſon that is malignant and diſaffected to the preſent work of Reformation and Covenants, and againſt whom there is juſt cauſe of exception, or juſt ground of jealouſie, becauſe of their diſaffection; Nor any perſon given to drunkenneſſe, ſwearing, uncleaneſſe, or any other ſcandalous offence, ſhall hereafter be choſen to be a Judge, or any officer of Eſtate, or Magiſtrate, or Counſellor in Burghs, Clerks, or Deacons of Crafts, or any officer of any army belonging to this Kingdome, or imployed in any place of publick power and truſt within this Kingdome; and that all ſuch as ſhall be choſen to be Judges, Officers of Eſtate, Officers of the Army, Magiſtrates, Counſellors in Burghs, Clerks, Deacons of Crafts, or imployed in any place of power and truſt in this Kingdom, ſhall not onely be able men, but alſo ſhall be men of known affections unto, and of approved fidelity and integrity in the cauſe of God, and of a blameleſſe and Chriſtian converſation. And it is ſtatute and ordained, that if any malignant or ſcandalous perſon ſhall be choſen to be Judges, Officers, or imployed in any of the places aforeſaid, or other places of power and truſt, or if after they being called to be Judges, Officers; and imployed in places of power and truſt, They ſhall make defection to the malignancy as is aforeſaid, or give themſelves to ſcandalous offences one or more: That this their Malignancie and profanity, conjunctly, or either of them ſeverally being proved againſt them, ſhall be a ſufficient cauſe to the Parliament of this Kingdom, or any having power from them for that effect, to keep back, remove, or ſuſpend theſe perſons from the places of power and truſt to which they are called, or in which they are imployed, as their faults and crimes ſhall be found to deſerve: but prejudice alwayes to all other Judicatories and perſons having right by the Lawes of this Kingdom thereto, To purge and fill all offices and places of power and truſt within their reſpective powers according to the Tenor of this Act; Who are hereby required and ordained to doe the ſame, as they will anſwer thereupon to the Parliament, or any having power from them in that behalfe.

ACT anent Mynes and Minerals.

109 THE Eſtates of Parliament taking to their conſideration the great prejudice of the Leiges, in that Taks and Donations have been granted by the Kings Majeſty of the Mines and Minerals of the Kingdom, wherethrough the Leiges have been ſubject unto the ſaids Donators wills and malice, by having power to open their grounds, deſtroy their policy, woods, houſes, and orchards, to the diveſting of them of their property, whereby they are moſt unwilling to detect and diſcover the preſumptions of Minerals within their grounds; for remedy whereof, and for ſecuring the Leiges of their property, and increaſing of the wealth of the Kingdome, It is ſtatute and ordained that it ſhall not be leiſum to the Maſter of his Majeſties mettals, and minerals, or to any other by Infeftments, Rights, Securities, Warrand, Tak, or Commiſsion granted, or to be granted by his Majeſty or his royall Predeceſſours, to open and ſearch any of the Leiges grounds for minerals, untill the Heretor thereof be cited before the Lords of Counſell or Exchequer, To hear it found and declared that there are probable preſumptions of the ſaids minerals in his ground; ſuch being found, The ſaid Eſtates declares and ordains, that the ſaid Heretor himſelf be preferred, he finding Caution to uſe diligence within three yeers thereafter for ſearch-

ing, winning, and working the ſaid minerals, and paying therefore the tenth part of all Ure and Mettals found therein, to his Majeſties Donator, or to the Maſter of his Majeſties Mettall, or Maſter Refiner thereof, according to their reſpective places; And if the Heritor failzie in working of the ſaids minerals of his own accord, or in craving preferrence, or finding Caution, or doing diligence within the ſpace foreſaid; That then and in that caſe the Maſter of his Majeſties mettals or the ſaids donators or perſons, having warrand as ſaid is, ſhall have power and warrand granted to them, to ſearch, win, and diſpoſe of the ſaid mettals and minerals, but withall, no wayes to deſtroy the ſaid Heretors policy, except upon neceſſity proven before the ſaid Lords of Counſell or Exchequer, and ſhall be obliged to pay to the ſaid Heretors the whole dammage and intereſt ſuſtained by them through the breaking and ſpoyling of their ground and policy foreſaid, in the ſearching, winning, and working of the ſaids minerals. It is alwayes provided, in caſe of the ſaids Heretors their uſing diligence as aforeſaid, That theſe preſents ſhall no wayes be prejudiciall to the Maſter of his Majeſties mettals, in ſo far as may concern his Majeſties tenth part thereof allanerly. And the Eſtates of Parliament do hereby retreat, reſcind, caſſe and annull all infeftments, rights, ſecuritie, Taks, Donations or other gifts whatſoever granted by his Majeſtie or his Predeceſſors, and all Acts of Parliament, Counſell, and others heretofore made or granted to any perſon or perſons whatſoever, which may any ways prejudge or derogate from this preſent Act, declaring the ſame to be void and null, and for the more effectual ſearching and winning of the ſaids Minerals, The Eſtates of Parliament do hereby Declare that it ſhall be leiſome to the ſaids Heretors to bring home to this Kingdom, Strangers one or moe skilled therein, and for their further encouragement, Do hereby ratifie and renew the whole Priviledges & Immunities, ſpecially from watching or warding, granted to them or their workmen in any Acts of Parliament, Counſell and others, made at any time heretofore thereanent, And the ſaids Eſtates do hereby Declare, that all Heretors eo ipſo that they have right to any Lands they have, In all time coming ſhall have right to all and whatſomever Minerall within the ſaid Lands without any neceſſity of taking ſpeciall and particular infeftments, paying and doing diligence as is aforeſaid.

ACT againſt the horrible crime of Blaſphemy.

110 THE Eſtates of Parliament, conveened in the ſecond Seſſion of this ſecond Triennall Parliament, conſidering that hitherto there hath been no Law in this Kingdom againſt the horrible crime of Blaſphemy, Therefore do Statute and Ordain, That whoſoever, hereafter not being diſtracted in his Wits, ſhall rail upon, or curſe God, or any of the perſons of the Bleſſed Trinitie, ſhall be proceſſed before the chief Juſtice, And being found guilty ſhall be puniſhed with death; Likeas it is found Statute and Ordained, That whoſoever hereafter ſhall deny GOD or any of the Perſons of the Bleſſed Trinity, and obſtinately continue therein, ſhall after the declaring of the ſaid obſtinacy by the Kirk, be proceſſed before the Chief Juſtice, and being found guilty, that they be puniſhed with death.

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XX FEBRUARII.

ACT in favours of the Earl of Glencairn. 111

. . . . . .

ORDINANCE for repairing the Works in and about Pearth. 112

. . . . . .

ACT in favours of the Earl of Eglintoun. 113

. . . . . .

ACT ratifying James Stirling his accompts of the rents of Mugdock. 114

. . . . . .

ACT in favours of the Marqueſſe of Argyle, anent the rents of Mugdock. 115

[REPORT from þe comittie of accompt& & burdeans anent þe ſupplica^nes gevin in be þe M of Argyle and James ſtirling chamberland of Mugdock anent þe dewteis of þe land& & baroneis of Mugdock dundaff Auchinhowie and Auchincloich

THE charge of þe ſaid James ſterling his intromiſſione w^t þe dewteis of þe haill land& togidder w^t ſuch ſowmes of money as wer gottin for fewes & ratifica^nes of fewes at Witſonday & mertimes J^m vj^c^ fourtie twa Extend& to þe ſowm of 42350 0 0

SECUNDLIE þe ſaid& comiſſionar& find& þ^t^ þe ſaid James ſterling his intromiſſione w^t^ þe haill dewteis of þe ſaid& Land& and vther& moneyis receavit be him of þe termes of witſonday & mertimes 1643 Extend& to — — 13109 1 7

THIRDLIE þe ſaidꝭ comiſſionarꝭ findꝭ þe ſaid James ſtirling his intromiſſione wᵗ þe dewteis of þe ſaidꝭ landꝭ & vtherꝭ ſowms of money of þe termes of Witſonday & mertimes 1644 Extendꝭ to — — — — 07313 3 1

FOURTLIE þe ſaidꝭ comiſſionarꝭ findꝭ þᵗ þe ſaid James ſtirling his intromiſſione wᵗ þe dewteis of þe ſaidꝭ landꝭ & moneyis at the termꝭ of witſonday & mertimes 1645 be vertew of his commiſſione frae the Lo / M of Argyle Extendꝭ to 8286 8 8

FYFTLIE þe ſaidꝭ comiſſionarꝭ findꝭ þᵗ þe ſaid James ſtirling his intromiſſione wᵗ þe dewteis of þe lands and vtherꝭ moneyis at the terms of Witſonday & mertimes 1646 be vertew of þe foirſaid comiſſione grantit to þe L M of Argyle Extendꝭ to — — — — 7859 14 11

SUMMA of þe charge abonewrittin of þe haill fyve ȝeirꝭ extendꝭ to þe ſowm of thrieſcore auchtein thowſand nyne hunder auchtein pund ſevintein ſchilling ten penneis — — — 78918 17 10

EGLINTOUN I P D com.

20 febrij 1649

Redd in audience of pliament and approvin

LOUDOUN Canᵗʳius

I. P. D. P.

FOLLOWES *þe diſcharge of þe foirſaids ȝeirꝭ*

ITEM þai find the diſcharge of þe ȝeir 1642 conforme to þe particularꝭ gevin in be þe ſaid James particularlie inſtructit extendꝭ to þe ſowm of — — — — 38319 7 0

ITEM þai find þe diſcharge of þe ȝeir 1643 conforme to þe particularꝭ þ'in inſtructit Extendꝭ to þe ſowm of — — — 16576 3 4

ITEM þe ſaid James his diſcharge of þe cropt 1644 conforme to þe particularꝭ þ'in inſtructit Extendꝭ to — — — 8541 12 0

ITEM þai find þe ſd James his diſcharge of þe cropt 1645 Extendꝭ to þe ſowm of — 9244 15 6

ITEM þai find þe ſaid James his diſcharge of þe dewteis & moneyis payable at Witſonday & mertimes 1646 ſufficientlie inſtructit extends to — — — — 6860 0 2

SUMMA þe haill diſcharge abonewrittin Extends to Thrieſcore nynetein thowſand four hunder fourſcore auchtein pund auchtein ſchilling ten penneis Qᵘᵏ ſowm of 79498ᵗᵇ 18ˢ 10ᵈ being compairit wᵗ þe ſowm of Thrieſcore auchtein thowſand nyne hunder auchtein pund ſevintein ſchilling ten penneis The compter is ſuperexpendit in þe ſowm of fyve hunder thrieſcore ten pund one ſchilling twa pennies

Qᵘᵏ ſowm þe comittie in þʳ opinione thinkꝭ aucht to be payit to þe compter in reſpect of his dewtiefull ſervice.

It is to be Remembred þᵗ in þe accompt abonewrittin þʳ is no allowance gevin for þe goodes takin from þe tennentis be thoiſᵉ who had charge of þe caſtle of ſtirling & þe garieſone qᵘᵏ wes þe hous of buquhannan nor þe horſᵉ takin be Leivtennent Colonell Lockart nor of þe cornes & guides deſtroyed be generall maior Middletounes forces which ar articles ſet doun in þe diſcharge of þe compt

EGLINTOUN I P D com.

20 febrij 1649

Redd in audience of parliament and approvin

LOUDOUN · Canᵗʳius

I. P. D. P.]

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XXIII FEBRUARII.

[REMITT concerning the Toune of Inuernes to the Committee of Diſpatches

THE Estates of Parliament beeing Informed that the toune of Inuernes wes taken in be the Clankenzie the Sherreff of Cromartie and ſome vtheris They do remitt this to be conſidered be the Committee of diſpatches]

. . . . . .

ORDERS for the fortification of Leith. 116

. . . . . .

ACT in favours of Anſtruther-Eaſter. 117

. . . . . .

[INSTRUCTIONS from the parliament to the Commiſſioners who ſhall be appointed to the Kingis Majeſtie in Holland]

. . . . . .

[GROUNDS for a draught of a declaration to be emitted be his majeſtie *in* caſe of his reſolution to come to Scotland]

. . . . . .

XXIV FEBRUARII.

118 ACT in favours of Captain George Smyth.

[SUPPLICATION Captain George Smyth

TO the Honorable the high court of Parliament. The humble petition of Captaine George Smyth in Elgin of Muray. Humblie ſheweth.

THAT ſince þe begining of thir troublſome tymes he hes continwed conſtantlie in yor hono^rſ whole lawfull ſervices And therin hes done his dewtie to þe vttermoſt of his power and hes bene altogither frie of þe lait vnlawfull engagement As is weill known to þe Miniſtrie and vthers weill affected where he leives ffor the q^lk faithfullnes and dewtie diſchargit by him to this Kingdome The enemie having conceavit ane deidlie hatred, rancker, malice, and envy againſt him They in þair furie after þe lamentable fight at old airne. 1645. did firſt plunder and take away all his moveables furth of þe towne of Elgin and diſpoſed þ^rvpoun at there pleaſ^r The ſame being then worth þe ſowme of Two thowſ. and m^lk^ſ at þe leiſt: And thereſter not content therwith, brunt and diſtroyed þe whole tennement^ſ of Land perteyning to him being then worth þe ſowme of foure thowſand m^lk^ſ. as þe accompt of the Loſes of [the] burghe of Elgin ſichted and reviſed by George hay Laird of Nauchtoun And Mr Alex^r Colvin Yo^r Hono^rſ commiſſioner^ſ appoynted for þ^r effect will teſtifie; Swa þat he having ane wyfe and ſex children. is now therby become altogither depauperat and vnable to Maintaine himſelfe and his ſaid familie Without yor / Ho / provyde ſome remeid HEIRFOR Yo^r / Ho / humble petitioner requeiſts þ^t yor hono^rſ wold be pleaſit to take ſuch courſe theranent As I may be repayred to my ſd loſes And in þe meane tyme þat yor Ho / wold grant to me ſumwhat for maintinence of me and my familie at this preſent. That we may be therby preſerved from open beging or ſterving. And yor Ho / an^ſ^r I humblie doe expect:

16 feb 1649

Red and remittit to þe Cõmittee of burdingis and loſſ

21 febr^ij 1649

The Comittee having Conſidderit the ſupplica^an thair humble opiniõe is that fyve hundreth m^lk^ſ may be gevin be the ge^ll comiſſ^r to the ſuppliecant as a gentilman who haue bein verie vſfull to þe cuntrie and redacted to great extremitie, and that out of the readieſt money w^che ſhall be gottin; the army being payit

BURGHLEY: I: P: D: Com:

24 ffebruar 1649

Red in audience of the par^t and approvin

LOUDOUN. Can^rius I. P. D. P.]

ACT in favours of Francis Broodie. 119

. . . . . .

ACT in favours of the Town of Pearth. 120

. . . . . .

ACT in favours of Duncan Forbes and his ſon. 121

. . . . . .

ACT of exemption in favours of the Town of Inuernes. 122

. . . . . .

ACT in favours of Robert Ferquharſon of Inuercald. 123

. . . . . .

WARRAND for farming the Exciſe of Aberdene. 124

. . . . . .

XXVI FEBRUARII.

ACT in favours of the Lord Ochiltrie. 125

. . . . . .

ACT in favours of the Lord Cowper. 126

. . . . . .

ACT in favours of William Muire of Glanderſtoun. 127

. . . . . .

XXVII FEBRUARII.

[REMITT concerning the Toune of Inuernes to the Committee of Diſpatches

THE ſaid day Inſtructions concerning the reducing of the toune of Inuernes being red as the report from the Committee of diſpatches The Estates of Parliament remittes the ſaid Inſtructions to the ſaid Committee of diſpatches With power to them to do everie thing therein as they ſhall thinke fitt for reducing the ſaid toune

INSTRUCTIONS from the Committee of Diſpatches To his / Exc / the Earle of Leven Lord Generall concerning Inuernes

YOW are hereby Ordained to repaire to Inuernes or ſend the Leivtennent Gñall thither And requyre

all ſuch as yow ſhall thinke fitt in theſe Northerne Shyres to ryſe and aſsist yow in reducing the toune of Inuernes and ſuppreſsing all thoſe who have beene acceſsorie to the takeing thereof

YOW are ſpeedilie and effectuallie to perfew and tak order with all ſuch as yow heare to have had anie hand or beene acceſsorie to the diſturbance of the peace and troubling of theſe pairtes

YOW are to take the beſt and moſt effectuall way of ſecuring the place and ſettling the peace of the Countrie

AND for that effect yow are to ſee the Countrie putt in readines according to the generall Act of Posture and Levie made in that behalff

YOW are by your ſelff or the Generall Leivtennent to goe about and doe all and everie ane of theſe thinges abonewritten according to the truſt repoſed in yow As vpon the place yow ſhall thinke moſt fitt and conducing to the good of the ſervice

YOW are to cauſe ſend ws frequent advertiſement of the condition of the Countrie

Signatur LOUDOUN Can^{r}rius
I. P. D. Coñi.]

. . . . . .

PRECEPT againſt Sr Archibald Prymroſe

THE ESTATES of Parliament, Conſidering that be their Act of the date the day of It is ſtatute and ordained That all officiars of Eſtate, Members or Clerks of Parliament, Committees of Parliament, Secreet Counſell, Seſſion, Exchequer, Juſtice Courts, Commiſſion for Plantation of Kirks, or for conſervation of Peace ſhirreff Courts, ſteuart Courts, Baillie Courts, Commiſſar Courts, Baillies of Regalitie Courts, Wardane Courts of his Maties Minthous, Admirall Courts, gyld Courts, Toune Counſell, or anie other Publict Judicatorie, or deacons of Crafts, And all who had any office place or Publict truſt, And all haveing deputation from or dependance wpon anie of theſe foreſaid who were guiltie of anie the faults conteaned in the four ſeverall Claſſes mentioned in the ſaid Act, Be removed be this Parliament or ſuch Committees or Perſons as ſhallbe by them Authorized with pouer to that effect from their preſent places and offices and all vther Publict truſt mentioned in the Act of Claſſes at St Androis or which hes deputation from or dependance wpon the forenamed Judicatories or offices, And that theſe places belonging to them ad vitam vel culpam be declaired vacand, That the ſamen may be filled with vther Perſons qualified in maner mentioned In the ſaid Act, And that the ſaids Perſons are diſcharged from medleing theirafter with anie exerciſe badge or benefite of their ſaids places and offices vnder the paine of confiſcation of their Moveables Lyfrent of their Eſtates Impriſonment of their Perſons And of being declaired for ever Incapable of the meaneſt Publict truſt within the Kingdome, And that be the foreſaid Act the Eſtates of Parliament [declared] that none of the foreſaids Perſons who are guiltie of the foreſaid crymes contained in the ſaids four Claſſes reẽive ſhallbe capable or admitted to anie Publict place office or truſt aforementioned within this Kingdome for the tymes and In the maner reẽive mentioned in the ſaid Act In relation to the claſſes mentioned theirin, And the Eſtates finding it moſt neceſſarie for purgeing of the foreſaid Judicatories That the Perſons and members of the foreſaids places or offices aforeſaid be tryed Conforme to the ſaid Act, THEIRFORE the ſaids Eſtates of Parliament doe heirby giue warrand to ane meaſſer or Meſſenger to Sumond wairne and charge Sr Archibald Prymroſe Clerk to his Maties Privie Counſell Perſonalie if he can be apprehended, And failyeing theirof at his duelling place, To compeir before the ſaids Eſtates of Parliament or their Committees appoynted or to be appoynted for that effect, The twentie ſevint day of februar nixt with continuation of dayes, To heir and ſie it found and declaired That he is guiltie of the foreſaids crymes and faults or ane or vther of them mentioned in the ſaids four claſſes above ſpecified reẽive or ane or vther of them, And to heir and ſie him not onlie removed from his preſent places and offices of Publict truſt And the ſamen declaired vacand To the effect they may [be] filled with vther Perſons qualified, But alſo debarred of all Publict place and truſt heirafter in maner mentioned in and according to the ſd Act, With certification to him if he faillie, The ſaids Eſtates of Parlia^{t} or their Committee foreſaid reẽive will proceed in the tryall of him And determine theirintill concerneing his ſaid places and truſt And will take what further Courſe theiranent they ſhall thinke fitting for the good of the Kingdome or otherwayes will declaire his ſaid places and offices reẽive vacand without proceeding in the tryall of his ſaid faults and crymes To the effect the ſaids places and offices aforeſaid may be filled with vther Perſons qualified in maner mentioned in the ſaid Act abovеſpecified as ſaid is Giuen at Edinburgh the tuentie fourth day of februar 1649

. . . . . .

[LETTER from Sir Ar^{d} Prymroſe to the Parliament

FOR the right hono^{ble} & noble Lord The earle of Loudoun Lord Chanceller & President of the Parliam^{t}

May it please your Lp· 27 Februar 1649
VPON ſaterday laſt at night I wes charged be ane Maiſter to appeare before the Parliam^{t} this day To

heare and ſie my place declared voyd, and wes reſolved to attend accordinglie Bot I am ſo extreamlie troubled wth a paine in my head, q'of I have not beene much free this yeere bygone That for the pũt I am not able to walke Nor even to wryte theſe few lynes wthout interruption

THERE is nothing I deſire more then to clear my ſelfe of theſe informations, qlks poſſiblie have occaſiond my cariage to be ſo much miſvnderſtood And p'for I ſall how ſoone I am able to come abroad, attend thair Lps. And I am confident that the Parliam' who are pleaſed to allow everie man a faire heering before ſentence will not ſuffer me to be preiudged p'of by my ſicknes Bot that ſome furder tyme may be allowed till I be able to come t ſpeake for my ſelfe

I doe humblie entreat your lp if I ſall be called for to make known this my neceſſitat excuſe. And that your lp will be aſsiſting by your favo' to what yow ſall find to be iuſt in the behalfe of

My Lo:
your lps
Moſt humble Seruant
A PRIMEROSE

27 ffebruar 1649
Producit be the lo / Chan'

27 ffebruar 1649
The par' efter calling of the partie and non compeirand Remittis the paper with the defendares ſre to the comitte of diſpatches to be takin in conſidera'un be thame
LOUDOUN . Can'rius
I. P. D. P.]

. . . . . .

PROTESTATION Sir William Dick againſt the additionall Exciſe.

. . . . . .

XXVIII FEBRUARII.

ACT of Levy.

128 THE Eſtates of Parliament having conſidered the dangerous poſture of affairs in this Kingdom, both in reſpect of Inteſtine and Forraign enemies; And being informed that many of theſe who have been moſt active in the late Engagement are upon deſigns and attempts to involve this Kingdom in new troubles, Withall having received ſeveral intelligences of imminent dangers to the Cauſe and this Kingdom from abroad, and being obliged in diſcharge of the truſt committed to them, to take care of the ſafety of the Kingdom: As they reſolve for themſelves to uſe all lawfull means and peaceable wayes to prevent the dangers, ſo they have thought fit to give warning thereof to the ſeverall Shires and Burghs, that according to the Law of God, Nature, and Nations, and according to the Duties which they by ſo many ſacred Bands owe to the Covenant and Cauſe, to the King & Kingdom, they might be in a condition and poſture for defending all theſe, and whatſomever is near and dear to them againſt all invaſion: Likeas for the ſtopping of the mouth of calumny, removing all ſcruples and miſtakes, and clearing to the conſciences of all, the Lawfulneſse neceſsity and Juſtice of their reſolutions and proceedings, And that they may have the greater aſſurance of Gods Bleſsing and preſence to all their endeavours, The Eſtates of Parliament Declare and aſſure that they enjoyne the following Leavy of Horſe and Foot for this end allanerly of meer juſt and neceſſary defence of this Kingdom from invaſion, without any deſign or intention of invading any who ſhall not firſt invade this Kingdom; The ſaids Eſtates of Parliament do therefore hereby Ordain the whole Shires and Burghs within this Kingdom, preſently to raiſe and put out the double of the number of Horſe, and the half of the number of Foot that were appointed and deſigned in the yeer 1643.

Viz. THE Sheriffdom of Edinburgh ſix hundred Foot, and two hundred Horſe. The Sheriffdom of Hadingtoun ſix hundred Foot and two hundred Horſe. The Sheriffdom of Berwick 600. Foot and 200. Horſe. The Sheriffdoms of Roxburgh and Selkirk 1000. Foot and 400. Horſe. The Sheriffdoms of Fyffe and Kinroſhire 1200. Foot and 440. Horſe. The Sheriffdom of Linlithgow 250. Foot, and 120. Horſe. The Sheriffdom of Peibles 200. Foot, and 80. Horſe. The Sheriffdom of Dumbartan Foot, and 80. horſe. The Sheriffdom of Dumfreis 600. Foot, and 240. horſe. The Sheriffdom of Wigtoun, and Stewartry of Kirkcudbright 600. Foot and 240. Horſe. The Sheriffdoms of Air and Renfrew 1000. Foot and 480. horſe. The Sheriffdom of Lanerick 600. Foot and 360. Horſe. The Sheriffdoms of Stirling and Clackmannan 500. Foot and 240. Horſe. The Sheriffdom of Pearth 1200. Foot and 480. Horſe. The Sheriffdom of Forfar 750. Foot and 280. Horſe. The Sheriffdom of Kincardine and Earl Marſheils part of Aberdeen 600. Foot and 200. Horſe. The reſt of Aberdeen and Sheriffdom of Bamff 800. Foot and 480. Horſe. Out of the Sheriffdom of Elgine, Nairne and that part of Inuerneſs on this ſide Neſs 500. Foot and 240. Horſe. Out of the Earl Seaforth and Lord Lovats diviſion of Inuerneſs 500. Foot and 240. Horſe. Out of the reſt of Inuerneſs, Sutherland and Caithneſs 800. Foot, and 240. Horſe. Out of the Sheriffdom of Orknay 500. Foot; whilk ſheriffdoms aforeſaid are to put out the ſeverall propor-

tions, and to have their Rendezvous at ſome convenient place within the reſpective Shires at the days following, viz. The Sheriffdoms of Edinburgh, Hadingtoun, Berwick, Roxburgh, Selkirk, Peibles, Drumfreis, Wigtoun and Stewartrie of Kirkcudbright, Fyffe and Kinroſhire, Air, Renfrew, Lanerk, Dumbartan, Stirling, Clackmannan and Linlithgow upon the day of March next: The Shires of Pearth, Forfar and Kincardine upon the day of the ſaid moneth of March: The Shires of Aberdeen, Bamff, Elgine, Nairne and Inuerneſs, on the day of the ſaid moneth of March, And the Shires of Sutherland, Caithnes and Orknay upon the day of April next, And they are Ordained to be in readineſs upon Orders from the Parliament, Committee of Eſtates and Generall Officers, to be ready to march with fifteen dayes proviſion; 6. d. per diem to each Footman, and 16. [d.] per diem to each horſman, which is to be delivered to them and not to their Officers, the ſaid day of Rendezvous, they getting Orders to march by the Heretors, Liferenters and others, liable in out-putting thereof; And the ſaids Eſtates Ordains the Committees of War of the ſaids Shires, to be Judges anent the ſufficiency of the ſaids Horſemen and Armes, And the Officers not to have power to reject or refuſe any of theſe whom the Committees of War foreſaid ſhall allow of; And becauſe in this Levie the proportion anent the out-putting of Foot, is equall both for Shires and Burghs; And the whole burthen of out-putting of the Horſe lyes on the ſaid Shires, to put forth the double of what they put forth in Anno 1643. And that the Burghs of the ſaids Shires in all equity ought to put out their proportion of the Horſe, now to be put out by the ſaids Shires; Therefore the Eſtates foreſaids, Ordains the Burghs of the ſaids Shires either to put out the proportion of the ſaid equall half in furniſhed Troopers horſe and men, or elſe in their option three Foot Souldiers furniſhed, conform to the Act for every Trooper, of their proportion of Horſe, for relief of the ſaids Shires pro tanto. And the ſaids Eſtates of Parliament Ordains the Officers and Committees of War foreſaids, not to take in charge or imploy any as Officers who have bein in the former Engagement, or are known Malignants, except upon Warrant from the Parliament or their Committee, and Commiſsion of the Church. And for the better regulating of the Horſe and Foot of ſuch as will not fall to put out one whole Horſe or Footman; It is Declared, that the greateſt Rent of theſe to be joyned for making up one horſe, ſhall provide the horſe, and the reſt that joyn to contribute according to an hundred and threeſcore pounds for ilk Horſeman, And who have the manyeſt men, to provide the Footmen, And the remanent that joyneth, to contribute with him according to fourty pounds for ilk Footman for their out-reik of Armes, and whole furniture belonging to them with their fifteen dayes proviſion, and where the Rent or number are equall to caſt lots: And the ſaids Eſtates Ordains the Committees of War of the ſaids Shires with adviſe of the Colonels, To do all things conform to the former Acts of Levie in preceding Parliaments as they ſhall finde neceſſary for the more ſpeedy and effectuall uplifting and out-reiking of the Horſe and Foot forſaid, And notwithſtanding ſome perſons may be hereby overburthened, in reſpect of the meanneſs of their Rents and multitude of Tenents living upon their Lands, yet the Eſtates Ordains the foreſaid number of men, provided as aforeſaid to be put out by them, And in caſe any of them finde themſelves hereby prejudged, and make their complaint known to the Committee of War of the ſaids Shires, In that caſe the ſaids Eſtates Ordains the Committees of War of the ſaids Shires to caſt up the Accompt what the price of the ſaids Armes, Levy money and proviſion foreſaid will amount to, and ſo to provide for their relief, That the burthen may be equally upon the whole Heritors and others aforeſaid, according to their Rent as in the Maintenance, And alſo the Parliament requires the Colonells and Committees of War, to put out the Forces abovementioned in their ſaid Localities, and under their ſeverall Officers Lifted and well Armed, and ready upon order to march, ſo for the preſent, they being unwilling to burthen the Countrey, untill by extream and unavoidable neceſſity they be conſtrained thereto, And conſidering what at leaſt is required on preſent ſecurity from incurſions or Inſurrections of Parties, Do Ordain the third Horſe and fourth Foot abovementioned, to be preſently Levied and raiſed by the ſaids Shires at the Rendezvous abovewritten, and to be put in Troops by the Colonells in their ſeverall Localities to march from the ſaids Shires inſtantly to ſuch Rendezvous as the Generall Officers ſhall appoint, And in reſpect of the preſent neceſſity of outputting the third horſe for the ſaids Shires as ſaid is: Therefore the ſaids Eſtates Declares that they with conſent of the Commiſsioners of the ſaid Shires and Commanders foreſaids of the ſaids Horſe who are here preſent, will nominate the Root-maſters of the ſaids Horſes, And the Eſtates Declares, that the nomination of the ſaids Root-maſters by Parliament ſhall no wayes be prejudiciall to the Committees of the ſaids Shires in time coming anent any power whatſomever granted to them for nomination of their own Root-maſters, conform to any preceding Acts of Leavie.

FOLLOWES the liſt of the Colonels, Commanders, and Root-maſters in the Leavy above written.

FOR the Sheriffdome of Edinburgh, The Laird of Ricartoun, Collonel, The Laird of Ingliſtoun Lieutenant Colonel, and each of them to have a Troop.

For the Sheriffdom of Hadington, The Laird of Wauchtoun, Colonel for their foot, the Lord Generall Colonell of their horſe. The Laird of Ormſtoun to have a Troop for the Sheriffdom of Berwick. Wedderburn Colonel of their foot, the Lord Generall Colonel of the horſe. And young Swyntoun to have a Troop for the Sheriffdom of Roxburgh and Selkirk, Wedderburn Colonel to two hundred of their foot, and the Laird of Greenhead Colonel to the reſt, being eight hundred. And Walter Scot of Hartwoodburn Colonel to the horſe. William Ker of Newtoun Lieutenant Colonel, who is to have one Troop, and Captain Archibald Scot to have another Troop. For the Sheriffdom of Fyff and Kinroſe, Colonel Colline Pitſcottie Colonel to four hundred of their foot, and Scottiſcraige Colonel to the reſt of their foot, extending to eight hundred, and Lord Elcho Colonel for the horſe, except threeſcore under the command of Sir James Halkhead, and Captain Andro Arnot to be Rootmaſter. For the Sheriffdom of Linlithgow, Colonel Colline Campbell of Laweris Colonel for their foot, and Sir James Halkhead Colonel for their horſe. For the Sheriffdom of Peibles the Laird of Wauchtoun, Colonel to their foot, and Sir James Halkhead Colonel to the horſe, and the Laird of Glen to have a Troop. For the Sheriff. of Dumbartan, Sir James Haukhead Col. to their horſe. For the Sheriffdom of Dumfreis Sir James Dowglas of Mouſwell to be Colonel to the foot, and Colonel Gilbert Ker Colonel to the horſe, and Craigddaroch to have a Troop. For the Sheriffdom of Wigtoun and Stewartrie of Kirkcudbright, the Lord Kirkcudbright Colonel to the foot, and Colonel Will. Stewart of Caſtleſtewart, and Sir Robert Adair for their horſe. For the Sheriffdom of Air and Renfrew, the Lord Kirkcudbright to be a Colonel to two hundred foot, and the Lord Cathcart to be Colonel to the reſt; which are converted in horſe, and Colonel Robert Mongumrie to be Colonel to four hundred and twenty of their horſe, Lord Elcho to forty, and the Lieutenant Generall to twenty. For the Sheriffdom of Lanerk, Hamiltoun of Preſtoun to be Collonel to their foot, the Lieutenant Generall to be Colonel to their horſe, James Carmichael and young Allantoun to be Rootmaſters. For the Sheriffdomes of Stirling and Clackmanan, Generall Major James Holburne Colonel to their foot, and Scotſcraig to be Colonel to their horſe, Sir Charles Erskine to be Lieutenant Colonel, and Laird of Lundie to be Major, and ilk one of them to have a Troop. For the Sheriffdom of Pearth, Sir George Preſtoun of Valyfeild to be Colonel to eight hundred of their foot, and

to be Colonel to the reſt of their foot extending to four hundred, and Sir John Brown to be Colonel to their horſe, and William Bruce Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdom of Forfar, the Lord Cowpar to be Colonel to their foot, George Lord Breichen to be Colonel to the horſe, and Sir Thomas Nairne his Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdom of Kincardine, and the Earl of Marſhels part of Aberdeen, Robert Vicount of Arbuthnet to be Colonel to the foot, George Lord Breichen to be Colonel to the horſe, and Mr. Robert Arbuthnet to be Rootmaſter, and to have a Troop.

FOR the reſt of Aberdeen and Bamfffhire, Colonel Arthur Forbes to be Colonel to the foot, and the Maſter of Forbes to be Colonel to the horſe, and the Laird of Eight to be his Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdomes of Elgine and Nairne, and that part of Inuernes on this ſide Neſſe, Colonel John Innes to be Colonel to the foot, and Sir James Halkhead to be Colonel to the horſe, and Robert Halkheid to be Lieutenant Colonel, and Captain Cranſtoun to be a Rootmaſter, and to have a Troop. For the Earle of Seaforth and Lord Lovats diviſion of Inuernes, Sir James Halkhead to be Colonel both to foot and horſe. For the reſt of Inuernes, Southerland and Caithnes, The Earle of Southerland, and Laird of Dumbeath to be Colonels both to the horſe and foot. For the Sheriffdom of Orknay, the Earle of Southerland to be Colonel both to foot and horſe. For the Sheriffdom of Argyle to be Colonel to the foot, and Colonel to the horſe. And for the Sheriffdom of Bute to be Colonel to the foot, and to be Colonel to the Horſe.

1 MARTII.

ACT anent the Poore.

THE Eſtates of Parliament now conveened, taking 129
to their conſideration the great number of indigent and diſtreſſed perſons in the ſeverall places of the Kingdome, and that they are expoſed to great miſery, through the want of a generall and orderly way of entertainment, to the ſhame and reproach of our Chriſtian profeſſion, which obliges us to the releiſe of our poore brethren, as being members of the ſame body.

THEREFORE, for remedy hereof, the Eſtates hath thought meet to ordain, that every Paroch and Presbytery ſhall be bound to entertaine their own native poor in manner following.

THAT there ſhall be twice in the year, at the firſt of December, and the firſt of June taken up in every Paroch in Burgh or Land, and Presbytery, A lift of the poore within the ſeverall bounds reſpective: At which time there ſhall be alſo a ſolemn

intimation to the Paroch, and a deſignation and expreſſion by the contributors what they will give every moneth in money or victuall for a voluntary and charitable contribution in every Paroch, for the entertainment of theſe poore people, into the number whereof there ſhall be no perſon received, who are ſlothfull and able by the labour of their hands to win their own livings, at which time the Miniſter and Elder of the Pariſhes, or ſuch as they ſhall depute, and to whom they will give power for that effect, ſhall meet with the Presbyterie, to the effect they may compare the burden of the poore of every Paroch, and if the common good and weekly contribution, and that yearly benevolence, will not be ſufficient to entertain theſe poor people given up and lifted as ſaid is; Then in that caſe, the Eſtates of Parliament hereby give power to the Lords of ſecret Councell or Committe of Eſtates to grant Commiſſions to ſuch perſons as ſhall be recommended to them by each Presbytery [with] full power upon oath to impoſe a ſtent on the ſeverall Paroches according to their ability and wealth for making up a competent entertainment to the poor perſons aforeſaid with a tenth part more for the Officers and Serjeants, which ſtent after it is divided upon the Paroches or Presbytery by the Commiſſioners, having power from the Councell or Committee of Eſtates as ſaid is, the ſame ſhall be ſubdivided and ſtented on the Heretors and others by the Elders and Deacons of every Paroch reſpective, with as much equality as is poſſible, wherein they are to have ſpeciall regard to lay the greater proportion on theſe Maſters that deale rigorouſly with their Tennents, and thereby impoveriſh and put them to beggary, and to deale the more favourably with theſe Maſters who endeavour to maintain their Tennants, and deals charitably with them, and in diſtributing of the alms, ſpeciall regard is to be had to the pious, and diſtinction to be made betwixt ſuch, and the profane deboſhit or drunken ſort. And it is declared that Magiſtrates and Councel of Burghs have hereby power to ſtent within themſelves. And the Eſtates of Parliament ordains generall Letters of Horning and poinding to be direct gratis at the inſtance of the Collectors appointed by the Presbytery for that effect, againſt the diſobedient, and them that refuſes to make payment of their proportion, who are hereby ordained, in caſe of their refuſall, to make payment of the double within ſix dayes after they be required, and diſcharges any ſuſpenſion to be granted thereupon. And ſiclike ordains every inferiour Judge to give precept of poynding upon the ſaid ſtent Roll ſubſcribed, as ſaid is; and to goe themſelves, or ſend their Deputes or Officers, to poynd thereupon ſo ſoon as they be required thereunto, With certification if the ſaid Judges faill, they ſhall be lyable to pay the double of the ſaid ſtent; And ordains the Councel or Committee of Eſtates to give out Letters thereupon.

THE Eſtates of Parliament further ordains the Elders of every Paroch to take notice of theſe who being able to work or win their livings, give themſelves to a trade of begging, which perſons, the Elders are hereby warranted to apprehend and to put them upon imployments, whereby the country may be eaſed of an unprofitable burden, and lawful induſtry maintained through the Land; Hereby ordaining that none be ſuffered to beg from houſe to houſe under pain of impriſonment, and other puniſhments contained in the former Acts of Parliat. And becauſe the forning of vagabonds and ſturdy beggars, doth hinder the expreſſions of charity towards thoſe that are truly indigent, Therefore it is ordained that none ſupply or reſet theſe vagabands, ſturdy beggars whether men or women under the pain of five pounds toties quoties, to be paid by the contraveener towards maintenance of the poor, and each neighbour is hereby commanded to help one another, in caſe ſuch ſturdy beggars ſhould offer to enter into their houſes againſt their will, and the ſaid beggars being apprehended by the Heretors or others, being enquired where they dwell, or where they were born, The Heretors hereby are ordained to take them to the next adjacent Judge, or his Deputes, they being found in Landward by the Sheriff, to be convoyed to the next Sheriff, and being found in the town, to be convoyed from Burgh to Burgh, who are hereby ordained to receive them, and convey them from one Burgh or Shire to another, until they be brought to the place where they were born, which Pariſh ſhall be obliged to receive and entertain them as one of their own, with the reſt of the poor of the Paroch, and in caſe they be found able to work, the ſaid Paroch ſhall furniſh them employment, and keep them on work, ſo as they may be anſwerable for them, to the effect they may not be permitted to wander over the Kingdom, as before; And if any Sheriff or Magiſtrate of Burgh refuſe to receive them and take them off their hands who preſents them, The ſaid Sheriff or Magiſtrate ſhall be ſuſpended from his office by the Councell or Committee of Eſtates, and pay the ſumme of 40. l. and for the third fault ſhall loſe their offices and Priviledges during their life time, and when they come to the place of their alleadged nativity, if they cannot clear their birth there, that they be reckoned amongſt the ſupernumerary following.

LIKEAS the Eſtates gives hereby power to any of his Majeſties ſubjects to take and apprehend ſuch idle and ſturdy beggars, and to employ them or diſpoſe of them to others to be imployed in work for their meat and cloath allanerly. And for the better executing of this foreſaid Act at one time throughout all the Kingdom, they ordain the ſame to begin in all parts of the Kingdom upon the firſt day of Auguſt next to come, & from thence forward to be duely proſecuted, untill the ſame take due

effect, With power to the Councel or Committee of Eſtates, in caſe any impediment interveen to appoint a new day to this purpoſe, as they ſhall think expedient. And if any that are aged, lame, blind, and weak, cannot condiſcend upon the Paroch where they were born, (as being the offſpring of ſuch beggars as never had a conſtant reſidence) theſe are to be kept amongſt the poor of that Presbytery where they are apprehended, untill a liſt of their names be ſent unto Councell or Committee of Eſtates, who are to have power to divide and proportion theſe ſupernumeraries, amongſt ſuch Presbyteries and Shires in the Kingdome, as have leaſt burden, and are moſt able to bear them.

LIKEAS the Parliament recommends to the Generall Aſſembly or their Commiſſioners to propone ſuch Overtures as may repreſſe the ſcandalous and Godleſs behaviour of theſe lewd Vagabonds, who hitherto hath been liable to no good order of Diſcipline, And to the effect this Act may be put in execution, It is Ordained and required that every Presbyterie make account of their diligence herein to the ſubſequent Synods and the Provinciall Synods to the Generall Aſſembly; And in caſe it ſhall happen through the Providence of God, that any through burning, Ship-wrack, devaſtation, or any ſuch like accident fall into diſtreſſe or poverty, It is Ordained, that theſe having a ſufficient Teſtimonial and recommendation from the Presbyterie to which they belong, they ſhall have the ſupply of a voluntary charity of theſe places next adjacent to them, or ſuch other places as the Counſell or Committee of Eſtates ſhall think fit.

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[OVERTOURES from Dunbeath and Obſtaill anent the rebellione in the Northe

CONCERNING the reduceing of theſe who haue preſently riſen in Rebellion in the North

Approves

FIRST it is deſyred that there may be a shipp ſent with [armes] Ammonitioñ and victuall for the vſe of the Army, And [the] weell affected in theſe places ſtanding for the Countrie

Approves this in the generall and that a Proclamation be drawen for that effect

IT is alſo desyred that the weell affected who ſuffers now by the Enemie shall haue aſsureance from the parliat, that when it shall pleaſe God to reduce the Enemie, they shall haue reſtitution ad Integrum of their ſufferings out of the firſt and readieſt of the Rebells Estats, till they receaue ſatiſfaction

The Gener. Lieut hes gotten the power as is deſyred

THAT there be a warrant giuen us of aſsureance from the parliat that whomſoeuer wee draw of from the ſaid Rebellion who hes not been acceſsory to James Grahames Rebellion or the late vnlawfull engagmt the lieut general may have pouer t order to assure them of a ſufficient remiſsion for this preſent Rebellion And they behaueing them ſelfes active for the parliat in tyme coming their Loſes for the country shall be repaired

They are to be entertained vpon the charge of the countrey, ſo long as they ſhall be thought uſefull

IT is alſo deſyred that ſuch forces as wee shall be able to mak and draw together by the advyce of the Generall Lieutenent may receaue maintenance and pay and keept on foot till the Enemie be reduced in theſe places

27 feb 1649

The Cōmittee of diſpatches allowes the articles abonewritten and repreſents them to the parlt with thair deſyre that articles of Inſtructions may be drawen accordingly to the Lieut. Gen.

primo martij 1649

The eſtaittes approves of the overtor abonewrettin Conforme to the marginall notes

LOUDOUN. Canrius
I P D P]

. . . . . .

[PROTECTIOUN To Sr Lachlane mclane of Dowart

WHEREAS Sr Lauchlan Macklean of dowart is to repair to the Parliat, or Cōmittee of eſtats, for enacting Himſelf to keep the Peace of the Countrey, The Eſtats of Parliat Doe hereby therefore giue aſsurance, and protection to Him, That in his coming hither, during his ſtay and in his returne to his dwelling houſe He ſhall not be troubled for any litill debts, nor challenged, or called in queſtion for any thing done, or acted by him, in reference to the Rebellion, or in relation to the late unlawll engagt

Primo martij 1649

Red voited and approvin in part and the protectioun to indure to the firſt of Julij

LOUDOUN. Canrius
I P D P.]

. . . . . .

ACT anent the nomination of the Rootmaſters. 130

[NOMINATION of the officers by the Colonls, and Cōmiſsiors of shyres.

firſt March, 1649.

Lo / Chancellor	freeland	Alexr Jaffray.
Generall /	Cuninghamheid	George Porterſt
E. Sutherland.	Broody	
Vic. Arbuthnott	Pollock	

THE Srref of Gallaway and Bargatoun as Cōmiſſior for that ſhyre and Stuartry doth nominat Sr Rot Adair to haue the fourſcoir horſe to be leavied

Sr Rot Adair

out of the ſame, and the reſt are to be made up to Him

Brechen Mr Rot arbuthnet

THE Lo / Brechen as Colonell of the forces to be levyed out of the Srefdom of fforfar doth nominat Mr Rot Arbuthnet Rutr for kincardin and E. Mpſh. part Abrd Sr Thomas Narne to be lieutent Colonell in the ſaid Regiment, The vicount arbuthnet nominats the Lo / Brechen to haue the firſt Troop

Capt Cranſton to be advyſed with Col. Ker

JOHN Dickson of hartry Cōmiſsior for Peeblis doth nominat Capt. Jon Cranſton of Glen to be ruitmaſter of the horſe to be leavyed out of the ſaid Shyre

Mr of Forbes, and the Laird of Eght

LARD of Eght, and Lesley yonger Commiſſiors for the Shyre of Aberdeen, doe nominat Mr of forbes to haue a troop of the horsemen to be leavyed out of the ſd shyre, And the ſaid Lesley nominats the ſd Laird of Eght to haue the ſecond troop of the ſd forces · the third to be nominated wt advyce of the Cōmittee of the ſhyre.

THE Cōmittee ordains the report concerning Sr Ard Prymroſe to be in readines againſt their next Seſſion and appoints Mr Thomas Henderſon to advyse with the Procutors of ſtate thereanent

allowes the 20 add horſe of the leavy to the ſrefdome of air to the Lo / Chancr for making his troop 100

COLOLL Rot Montgomry with advyse of the Cōmiſſiors from the Srefdome of Air doth nominat Lard of Gadyard to haue a Troop and to be Lieut Colonell, And the Cōmiſſiors of Renfrew [nominate the] young Lard of Greenock for Renfrew to haue another troop and to be Lieut Coll to the Lord Cathcart when he ſhall be needed This to be wtout prejudice to Gadyart

SR James Hacket with advyce of the Cōmiſſiors of Murray doth nominat Captain Cranſton to command the horſes to be raiſed out of that division of murray and a part of Inuernes ſhyre, And his brother to be Lieut Colonell.

THE Cōmiſſiors for the Srefdome of Lothian doe Nominat, Colo. Thomas Craig, to haue a troop of the horſemen to be raiſed out of the Shyre Ingliston to be Lieut Colon. and haue an other troop, and cōverts ilk 3 foot in a horſeman

THE Lo / Generall with advyce of the lard of Wetherburne, nominats the Laird of Humbie yor to be a Ruitmaſter of the troop to be raiſed out of the Shyre of Berwick

KEYTH for hadinton nominats ormyeſton to haue a troop

COLONELL Scottscraig with advyce of the Cōmiſſiors of Stirling, and Clakmanañ nominats Sr Charles erſkeyn, to haue a Troop, and to be Lieut Colonell, and Lundy to be major.

FOR Lanerick the Cōmiſſiors of Lanerek ſhyre doe nominat Ruitr Ja: Carmichaell and George Lanerick who are to goe about the raiſing the two troops, untill the Generall Lieut. as Colonell giue his opinion.

CŌMISSIORS for fyfe in abſence of the Lo / Elchoe Colonell doe nominat the Lo/Elchoe to haue a troop, Captain Andrew Arnot to be a Ruitmr if the Lo / agree thereunto.

CŌMISSIORS of Dunfreis in abſence of Colonell Ker Colonell of that division nominats Craigdarroch to be a Ruitmaſter

THE Comiſsior of the Srefdome of Perth Nominats Colonell Sr Jon Broun to haue a Troop out of that diviſion, and the Cololl with advyce of the other Cōmiſſior appoints lieut Col. william Bruce to haue an other troop, and be L. Col.

COL. Scott with advyce of the other Cōmiſſior for Roxburgh, and Selkirk doth nominat William Ker of Newton to be Lieut. Cololl and yonge ſtobbe to be major of the horſemen to be raiſed out of that diviſion & each of them to haue a troope

THE Cōmittee thinks fitt that the proportion of 800 foott be raiſed out of the Srefdome of Air, be Converted into horſemen, and put under the lo / Cathcarts Command at the rate of one horſe for three foot.

AND that the Earle of Sutherland haue Command of the horſe to be pñtly leavyed out of Sutherland, and his owen division of Inuernes, and Orkney and the lard of Dunbeth of the horſe of Cathnes and his owen lands, and the lard of Moyes lands in Ros.

2 Martij 1649

THE nominaoun of the officeris in this paper with the ꝯverſiounes of fit in hoirß Red and approvin And ordanit to be addit to the act of levie

LOUDOUN · Canrius

I P D P]

. . . . . .

II MARTII.

ACT againſt theſe at Inuerneſs, who have riſen in Armes againſt the Kingdom.

THE Eſtates of Parliament taking into their ſerious 131
conſideration, the Rebellious and inſolent attempts, and practiſes of certain wicked and Malignant perſons within this Kingdom, who with and under the Command of Thomas Mackenzie of Pluſcarden, Sir Thomas Vrquhart of Cromarty, Col. Hew Frazer John Monro of Lumlair, and certain others

their complices having moſt perfidiouſly broken, violated, and caſt off all the Bands of Religion, and the Solemn Covenant, againſt the Laws of Nature and this Nation, are riſen in Arms, and by open Rebellion have ſeized upon the Town and Garriſon of Inuerneſs, thereby intending ſo far as in them lies, for their own baſe ends, to lay the foundation of a new, Bloody and Unnaturall War within the bowels of this their native Countrey. Therefore the Eſtates of Parliament Declares the ſaid Perſons, and all ſuch as ſhall hereafter joyn with them to be rebels & guilty of the crime of high Treaſon, and to be proceeded againſt accordingly; And to the end that none may be enſnared in ſo deteſtable and horrid an enterpriſe; Do hereby diſcharge and prohibite all Perſons of whatſoever degree, ranke, or quality within this Kingdom from joyning with, or giving aſsiſtance to, or ſupplying with Armes, Money, Ammunition, Victuall, Counſell, Intelligence, or keeping correſpondence, private or publique meetings, or giving any other aid or countenance to the ſaid Rebels or any of them, under the pain of being eſteemed as Rebels, and to be proceeded againſt as Enemies to Religion, the Kings Majeſtie, and the good and peace of the Kingdom; And further the Eſtates of Parliament do hereby give Power and Warrant to all the good Subjects of this Kingdom to riſe in Arms for oppoſing, and for hindering and ſuppreſsing the ſaids Rebels, and impeding their ſo wicked and Rebellious practiſes, as they ſhall be required by the Generall, Lieutenant Generall Leſly, or any having power from them for that effect, Hereby giving power and Commiſsions to the General or Lieutenant General, to reclaim, remit and pardon ſuch who being out of ſimplicity deceived or enſnared in this pernitious enterpriſe, ſhall now quit, renounce and diſclaim the ſame, And give aſſurance for their good behaviour in time coming, they always accepting and embracing their pardon within ſuch a ſpace as the Lieutenant General ſhall think meet to grant, whereby ſuch as are not incorrigible may be reclaimed and reduced to due obedience, And the obſtinate may be left altogether without excuſe; And for the greater encouragement of theſe who ſhall ſuffer prejudice in oppoſing or ſuppreſsing the ſaids Rebells: The Eſtates of Parliament hereby declares, that the ſufferings and the loſſes of thoſe wel-affected, who behave themſelves forwardly and actively in this cauſe againſt the Rebels, ſhall be taken into ſpeciall conſideration, and repaired out of the means and eſtates of thoſe who ſhall remain obſtinate in the ſaid courſe of Rebellion, as their carriage and faithfulneſs ſhall deſerve: And Ordains theſe preſents to be Printed and Publiſhed at the Mercat Croſſe of Edinburgh, and other places needfull.

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COMMISSION for trying the Collector of Pearth-ſhyre to an accompt. 132

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ACT in favours of the Laird of Ceſnok. 133

[SUPPLICATIOUNE In favores of Sir Hew Campbell of Ceſnok

TO the honorable and heighe Court of parliament The humble ſupplicatioune of Sir Hew Campbell of Ceſnock knight

Schaweth

THAT quhair wpon the Tuentie aught day of december laſt bypaſt I acquyred from the laird of Craigie elder and younger maiſter William wallace ſreffdepute of Ed^r With conſent of certane vþris perſones The heretable and Irredeimable alienatioune diſpoſitioune and right of the hundreth and nyne merkland of Riccartoune With the mylnes coalehewches and pertinentes þ^r of Comprehending the landis and vþris particularlie mentionat and ſett downe in the contract of alienatioune paſt þairanent Quhilkis ar haldin of the Prince and ſtewart of ſcotland The Chartour and infeftment q^r of I have not as ȝitt gottin paſt and expead be reaſoune of the want of the excheq^r And ſieing I have beene vſeing quhat meanes poſſible I could for paſſing and expeading of my ſaid infeftment Reaſoune and equitie wald That I ſould be no wayes prejudged be the delay thairof Bot that the daitt of my chartour and infeftment q^n ſoever the ſamene ſall be paſt and expead And ſeaſeing to follow þairwpon Be drawin back to the daitt of the ſaid contract of alienatioune and diſpoſitioun Heirfoire I humblie beſeik yor honores That ȝe will be pleaſed be yor act To declair and ordeane That the chartour ꝛ infeftment to be paſt and expead in my favores of the landis abonewr̃in diſponed to me as ſaid is Howſoone the excheq^r ſall be eſtableiſhed and fitt I then vſeing diligence for paſſing þairof With the inſtrument of ſeaſeing to follow þ^r vpon in my favores Sall be alſe valied effectuall and ſufficient as if the ſaid charto^r had beene paſt and expead wnder the great ſeall and I infeſt conforme þairto within the ſpace of aught dayes efter the daitt foirſaid of the ſaid contract of alienatioune q^lk is daittit the ſaid tuentie aught day of december laſtbypaſt And that no ſeaſeing gevin to any perſone or perſones of the ſaides Landis or any pairt þ^r of at any tyme ſenſyne ſall be any wayes reſpected to my hurt and prejudice And yor honores favorable anſ^r heirin I humblie Expect

2 Martii 1649

The Estaittes of parliament Grantis the deſyre of the ſupplica^o un abonewrettin

LOUDOUN Can^ll rius
I. P D. P]

. . . . . .

134 ACT in favours of the Lord Fraſer and others, anent the houſe of Pitcaple.

[SUPPLICATION of Johne fforbes of Leſlie and others

UNTO the hono^{ll} eſtaitis of Parliament The humble ſupplicatione of Johne fforbes of Leſlie, Alexander Jaffray baillie of Abirdene, Mr Andro cant miniſter of godis word at abirdene, and Thomas Jaffray thair humble Scheweth

THAT quhair In the moneth of September 1645 geires IT Pleaſed gód to diſpoſe of yowr Supplicantis As to caſt ws in the handis of vmq^{le} Johne Leith younger of harthill who with his accomplices (returnyng in Triumphe from that vnhappie battell of Kilſythe) Took ws priſoneris neir fettereſſo In the ſhrefdome of Kincairne And from thence caryed ws to þe houß of Pittcaple in the ſhrefdome of Abirdene, Ane place then keipit by him in garriſone for the vſe of þe rebellis To the great hurt of the weill affected in theſſ places and to þe great preiudice of yówr forces then in perſute of the rebellis Quhair we having remaned cloſe priſoneris be the ſpace of ffyve weikis IT pleaſed god be his good providence through the neglect of our keaperis to caſt in our handis ane opportunitie of poſſeſſing the houß And diſpoſſeſſing ſuch as had the chairge thairof for the tyme Quhich our practiſe ſo enraged thame and thair adherentis That befoir we could mak anye eſcape for our ſelffis we were cloſe beleggered and put to new ſtraitis, And having keiped out for the ſpace of 24 houres were ſo overtoylled by the pawcitie of our number within and the increaß of þe ſtrenth of our adverſaries w^{t}out As we war werie neir to be reduced and of new expoſed to þe crewel-tie of theſe barbarous enemies from quhom we war to expect no mercie Iff we had agane fallin in þ^{r} handis Bot the Lord in the verie nick of tyme (quhill the enemies war increſſing in power and had ſo farr prevailled as they had maid ane good progres in vndermyning our wallis) furniſched ws vnexpected and wonderfull delyverance By ſending to our aſſiſtance The Maiſter of fforbes, Lord fraſ^{r} The Lairdis of Skene, Monymuſk, Echt, Leſlie gounger, who w^{t} the reddieſt of thair freindis and followeris w^{t}out anye farder of our conditioun faiff onlie ane rwmour of the countrie, vſed ſuch expeditioun (As whill wee war reddie to faint and give over) we war releived by thame and the Enemies put from the feig: Bot finding no poſſibilitie to keip the ſaid houß in garriſone Being a place lying ſo neir the enemies power as that þe ſamen could not be furniſched at anye tyme w^{t}out great hazard And that þe power of the Enemye then drawing togidder was readie to blok vpe þe ſamen of new if anye ſould have entred þ^{r}in They being vnable to rancounter the full power of þe Enemye then drawing togidder vpoun þat occaſione Vpone which conſiderationes it wes fund neceſſarie for preventing quhat further preiudice the cauß and countrie ſould ſuſtene by that garriſone to put fyre to þe houſe, Thairby to mak the ſameñ vnproffitable to [the] Enemye in tyme comeing HEIRFOIR we humblie beſeik ȝowr Lops. Since quhat wes done thairin vpoun occaſione of neceſſitie for the good of þe publict ſ^{r}vice And for taiking from the Enemye ane meane of oppreſſioun and tyrranye, To the effect That naither we ȝowr Lops. ſupplicantis nor theſe who expoſed þ^{r} ſelffis to hazard for ws May in anye tyme comeing ſuffer preiudice for that deid ȝowr Lops. may be pleaſed to paſ ane act of approbatioun of þe ſameñ as done for þe publict good and vſe of þe countrie And that we and theſe Nobillmeñ and gentillmen who cam to o^{r} releiff be fred In all tyme comeing of all perſute raiſit or to be raiſit quhidder civill or criminall for fyring the ſaid howſe and for anye bloodſched in raiſing the ſaid ſeadge or anye act of hoſtilitie done thairanent And ȝo^{r} Lops. Anß^{r}.

19 febr^{rij} 1649

The Comittie haveing taikin knowledge of the certantie of the caice of the w^{t}in wryttin buſſines and notorietie þ^{r}of by certane perſones of thair number and the buſſines being knowin to thame and many wtheris in this kingdome Doe grant the deſyre of the w^{t}in wr̃in ſupplica^{o}ne And ordaines the ſamin to be reported in parliãt

REPORT of the Committee anent the burning of the house of Pitcaiple

EDR 19 febrwar 1649

SUPPLICA^{O}UN of Johne fforbes of leſlie Alexander Jaffray baillie of aberdine maiſter Andro Cant miniſter of godis word att Aberdein and Thomas Jaffray thair Craveing ane act of approba^{o}un To be paſſed and grantit^{r} In favo^{r} of the maiſter of fforbes, Lord ffraiſ^{r}, The lairdis of Skene Monymuſk Eight, leſlie gounger And vtheres thair freindis and followeris off the fyring and burning of the hous of pitcaiple And of any bloodſched in raiſeing the ſaidge abowt the ſaid hous Or any act of hoſtilitie done thairanent As done for the publict ſ^{r}vice and good of the countrie and releiff of the ſupplicants And that the ſaid^{r} Nobillmen, Gentillmen and vtheres thair freindis and followeris be fred in all tyme cuming of all perſuite for the cauſſ afoirſaid Or any act of hoſtilitie done tharanent whether civill or criminall

THE Cõmittee efter certane knawledge had of the treuth and certentie of the ſupplica^{o}un within wr̃in And in reſpect of the notorietie of the ſamyen, not onlie to ſome of thair awine number But to many vtheres In this kingdome Thinkis in thair

humble opinioun that þe desyre of the supplica°un aught be granted as most just and reassonable.

J COUPER I. P. D. Com.

2° martij 1649
Red voted and approvin
LOUDOUN · Can^ttrius
I. P. D. P.]

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135 ACT in favours of the Inhabitants of the Chanrie of Ross.

[SUPPLICA°NE from the Inhabitants of the Chanonrie of Roß

WNTO the honorable and heigh Court of Parliament now assembled at Ed^r 1649. We the inhabitants of the Chanonrie of Ross, Do most humblie represent that our kirk sometyme called the Cathedrall kirk of Ross, lyeth desolate and destitute of a publict ministrie, to the great greife, and hurt of our soules, ewer since the lait happie reforma°ne, and that for want of ane competent provisione, and mantenance Therefore seeing it belongs to the power and auñie of Parliament, to help and redresse such ane ewill and seeing many kirkꝭ in the kingdome especialie these wch are of the same qualitie and conditione w^t ours, haue beene prowydit of the bishoprentꝭ, and o^r kirk hath most near relatione therto being allwayes s̄rved personalie by the pretendit Bishopps as a particular congregatione, w^tout any other ꝓvisione; and o^r Bishoprik rentꝭ ar exacted strictlie, and imployed to secular vses whill as our kirk wanteth all mantenance · Our humble supplica°ne is that yor Lo / would tak our case to hart, and by your power and auñie inacte and declare our kirk to be ane particular parishe kirk that according to the Lawes and customes of the kingdome we may seek for ane provisione, and more especiallie that yor Lordꝭ / in such manner as in wisdome and righteousnes it shall seeme fittest wnto yow would prowyde for ws ane competent mantenance, out of the foresaid Bishoprentꝭ, wherevnto his Matie at his last beeing in Scotland did condiscend, and would haue accomplished it, if the matter hade not beene miscaried, And now knowing the same to be in yor Lordships power, Our supplica°ne and exspecta°ne is, that we may and shall find the reall effect of the same. So prayeing allmightie god to direct and ꝑtect yor Lo / for adwancement of treuth, and peace we rest,

Yo^r Lo: humble supplicants the Inhabitants of the Chanonrie of Rosse.

Robert Innes of Roistoun Prowest.	Johne elder
	J. Veir
Donald M^cklay Balige	John Reid
Donald Reid·	Patrick Hay
Androw Abercrombie ·	

MAY it pleis yor lo^ꝭ to recōmend þe said kirk of Chanrie seriouslie To þe cōmissione for plantatione of kirkis To be provydit out of the Bischopis rentis of Roß and frie teyndꝭ of the parochin of Chanrie

2 Marche 1649

The par^t seriouslie recomendis the planta°un of the kirk of the Chanrie of Roß to the Cōmissioun for planta°un of kirkis with the provisioun thairof To be takin in considera°un be thame amongist the first of thair actis at thair doun sitting

LOUDOUN · Can^ttrius
I P D P]

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ACT in favours of the Lord Chancellour, anent his proportion of this present Leavie of Horse.

THE estaitis of Parliament now presentlie conveined 136
in this second sessioun of þe second Trienniall parliament be vertew of ane act of þe Cōmittie of estaitis wha had power and auc̄tie frome þe last parliament ffor conveining þe parliament · TAKING to thair considera°une That Johne erle of Lowdoun ꝛ c^r heich chanceler of Scotland his trowp consistis of ffyve scoir horß Quhilk is Tuentie moir nor þe ordinar trowpes THAIRFOIR they ordaine soe manie of þe saidis tuentie horse as will be ans̄rable for þe said Lord Chanceler his proportion of horse to be put out for him in this present Levie for þe s̄^r efdome of Air And þe remanent of þe saidꝭ twentie horß ffor þe proportione of sick otheris as his lordschip sall nominat who will be Lyable for outputting þairof for thair rex̄tiue proportiones w^tin the said schyre and who ar heirby ordaned to satisfie the Lord Chanceler for þ^r rex̄tiue proportions ꝛ To be allowed to þe said Lord Chanceler and these otheris to be nominat be him as said is Dischairging heirby all Collonellis ruitmaisteris and otheris who sall have power for vplifting þairof Off trowbling þe said Lord Chanceler his tennentis or otheris in his name and sick otheris within þe said schyre as he sall nominat for þair saidꝭ proportiones as said is

. . . . . .

ACT of exemption in favours of the Earl of Dumfermling. 137

[THE earle of dumferling his supplica°un

IT is humblie representit to the hono^ll estaitis of pliamēt In the behalff of Charles earle of dumfermeling

THAT seing yor hono^rꝭ ar about the appoynting of ane Leavie of horß and foote for defence of the kingdome Q^ch Leavie probablie is to be raisit furth of the severall schyres of the kingdome be ane equall proportion according to everie mans valued rent And seing the sd earle hes severall Lands and fisch-

ings w^in the ſchirrefdomes of Aberdene and Elgin q^ch ar for the maiſt pairt altogidder deſtroyit waiſtit and renderit vnproffeitable þir divers ȝeirs bygane IT being too manifeſt and notoure that not onlie wes his hous and planting of fyvie defaced and diſtroyit be the enemy, Bot lykwayes his ſd hous for a long tyme wes keipit as a gariſoun for the vſe and defence of the country Be q^ch occaſiounes his haill lands of fyvie and tennents þ^of wer ruined and diſtroyit Beſyds þat in a verie great ſtrait ano 1644 he did ſend 1000 bollis meill for the ſupplie of the army þan cōmandit be the Marques of Argyll as his Lordſchip and the Lord Burghly can witnes for q^ch the ſd earle nevir ȝit receavit any pay^t Howbeit the ſd meill wes all that he got of theſe rentis thir four ȝeirs bygane And as for his rentis in Murray q^lk for the maiſt pairt conſiſtis in the fiſchingis of Spey the haill workis and corfehouſſ and haill materiallis þ^of wer barbarouſlie brunte and diſtroyit be the rebellis and his Lands in Murray waiſtit be þ^m So as he hes not gottin nor cannot expect any rent or benefite of any of his eſtait in that country q^ch heavie Loſſ being ſeverall tymes tryit and conſidderit be the pliament and cōmitties of eſtaitis wer fund to extend neirby to Twa hundreth thowſand punds And in reſpect þ^of his ſd^e Lands and eſtaitt þ^r wer declairit frie and exeimed frome mantenance or vþ^r impoſitiounes All q^lk^e premiſſ ſall be inſtructit be expres actis of pliament and cōmitties of eſtaits In reſpect q^of it is to be expectit þat þe iuſtice and equitie of the pliament will nayr impoſe nor demand any mantenance or Leavies furth of the ſd earle his waiſtit and diſtroyit eſtait as being abſolutlie impreſtable and impoſſible for him to bear or performe HEIRFOIR IT is humblie deſyrit þat yor hono^r^e in iuſtice and equitie may be pleaſit to declair þe ſd earles Lands and eſtait in theſe twa ſchyres To be frie of any burding in this p̄ſt Leavie And with all þat yor hono^r^e will be pleaſit to prorogate and renew his former actis of exemptioun frome future mentenance till it pleis god he may get ſome benefite and rent out of his waiſtit ⁊ diſtroyit eſtait foirſd And yor hono^r^e favourable anſ^r

24 februar 1649

Red in audience of the par^t ⁊ remitted to the ſeverall bodies

2 Martij 1649

The Eſtaittis of parliament In reſpect of the greatt waiſting w^che hath bein wpon the ſupplicant^e Land^e Ordanes his ſd^e land^e In the ſhyres of Aberdein and murrey to be conſiddered be the cōmittee of warr and to have ane eaſe and Ordanes the ſhyre to haue deductioun of the eaſe to be gevin to the ſupplicant ather in the mentenance or Levie

LOUDOUN · Can^rius

I P D P]

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ACT of exemption in favours of the Lairds of Glenurquhie. 138

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ACT of exemption in favours of the Laird of Lawers Comries and others. 139

. . . . . .

ACT againſt Run-awayes, and theſe who were upon the lait unlawful Engagement.

THE Eſtaittis of Parliament Taking to þair Conſidera^oune That theſe who were in the lait vnlawfull Ingadgement will offer thame ſelffis to be taikine on, in the Leavie of horſe and foote now appoyntit to be vpliftit be theſe who wilbe lyabill for outputting of the ſamene horſe ⁊ foote: As alſo that the ſojeris, who ar p̄tlie in þe ſervice for the Countrie will deſert thair cullo^r^e that they may of new be taikine on in the Leavie foreſaid. ffor remeiding whairof The Eſtaittis diſcharges all theſe who ar of the number of the forceis p̄tlie ſtanding ather horſe or foote ffrom offering thame ſelffis to be taikine on in the ſaid Leavye, w^t certifica^une to thame gif they failȝie they ſalbe puniſhit as r̄unawayis, And ſiclyke diſcharges all perſones whatſumeuer lyabill in the outreik of horſe and foote abonewrittin off taiking on of ony of the perſones who wer in the lait vnlawfull Ingadgement And alſ that they Conduce not any who hes fled frome thair cullo^r^e or hes bene vpone the p̄t ſervice, as ſaid is without they haue ane Paſe frome thair Colonell^e or Cōmanders vnder whome they ſerveid, w^t certifica^ne to thame wha failȝeis heirin, They ſalbe conſtrayned to put out vtheris in thair place and reput as contemnear^e of the ordour^e of parliament And ordanes the ſamene to be proclaymeit at þe mercat croce of edinburghe by ſound of Trumpet and at vther placeis neidfull and thaireftir To be pryntit/ 140

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ACT in favours of the Town of Edinburgh anent their Miniſters Stipends. 141

. . . . . .

ACT in favours of Sir John Murray of Philiphaugh. 142

[REPOIRT of the Committie anent ſ^r Jhone Murray of Philliphauche

ED^R 20 februar 1649

SUPPLICA^OUN Sr Jo^n Murray of philliphauche knight Craveing effectuall payment to be maid to him of the ſowme of Twelff Thowſand ffourtein pound^e aughtin ſchillings and ānwelrentis thairfoir

ſince the ſupplicant his loſſ q^ilk was In September 1645 ȝeires Befoir and at the Battell of philliphauche aughtand be the publict to him As ane report of his ſaid^e loſſ dewlie reg̃rat beires

THE Cōmittee findis the bill Inſtructed And thairfoir it [is] thair humble opinioun That the parliament Grant precept and warrand to Sr James Stewart for payment making to the ſupplicant (for the preſent ſubſiſtance and lyveliehood of him, his leadie, numerous childring and familie) of the ſowme of ffoure Thowſand merkis befoir all vther debtis dew be the publict And that out of the firſt and readdieſt of any publict moneys The armie and garieſounes of þis kingdome being alwayes firſt ſatiſfiet. And that Sex Thowſand merkis be lifted to be payet In the firſt rowme of thoſe debtis moſt vrgent and neceſſ^rie to be payet and lifted And lykewayes that the reſt of the ſaid haill ſowme of Twelff Thowſand ffourtein poundis aughtine ſchillings money foirſaid may be payet when it may be had with the reſt of the publict debtis and loſſ And that the payment of any ane of the reẍue ſowmes deduce pro tanto aff the prin^ll ſowme afoirſ^d

J COUPAR
I. P. D. Com.

2 martij 1649
The eſtaitt^e of parlia^t approves the report
LOUDOUN Can^rius
I. P. D. P.]

. . . . . .

143 ACT in favours of Maſter Robert Keith, Miniſter at Deir.

[REPORT of the Committee anent Mr Ro^t Key^t mi^r at deir

ED^R 20 febr̃ij 1649

THE cōmittie Haveing hard and conſidered the ſupplica^oune of M^r Ro^t keith miniſter at deir and Elſpeth Donaldſone relict of vmq^le Andro burnet burges of Abirdene Schewing That þe ſ^d M^r Ro^t haveing advanced ſome moneyis for the charges of vmq^le Nathaniell gordoun during his Impriſonment at S^t androis and for þe buriall of his corpis thair And that the ſ^d vmq^le Nathaniell acknawledging himſelfe dew in ſome moneyis to þe ſ^d Elſpeth donaldſone The ſ^d vmq^le Nathaniell Be his teſta^t all writtin and ſub^t w^t his hand at S^t androis 19 Ja^rij 1646 declared that thair was ffyve hundreth dollor^e of his in the hand^e of Jonet gordoun relict of vmq^le w^m gordoun of tullo^t q^r of he appointed 200 dollor^e to be given to the ſ^d Elſpeth donaldſone, ane hundreth dollor^e to þe ſ^d m^r Ro^t keith and the reſt to be given to griffell ſeytoune ſpous to the ſ^d vmq^le Nathaniell gordoun As his bro þ^r ſould think fitt And That notw^tſtanding þ^r of the ſaid Jonet gordoun nor þe v þ^r debtor^e of þe ſ^d vmq^le Nathaniell will mak no voluntar pay^t na þ^r ȝit will the ſ^d preſſ prin^ll of Abirdene nor his deputtis, and cōmiſſ^r þ^r of nor the v þ^r judges competent w^tin whoſe bound^e the ſaid Jonet gordoun and remanent debtor^e dwell^e grant proces aganis them w^tout the parlia^t warrand And þ^r fore deſyring That þe parlia^t wald grant warrand and cōmand to þe judges foreſ^d^e w^tin whais boundis the ſaid Jonet gordoun and remanent debtor^e dwell to proceid and adminiſtrat juſtice at þe ſupplicant^e inſtance for pay^t of the dollor^e foreſ^d^e and debtis dew and adebtit to þe ſ^d vmq^le Nathaniell gordoune

THE ſaid cōmittie ffindis the foreſ^d ſuplica^oune Inſtructed be the ſ^d vmq^le Nathaniell gordoun his teſta^t producit all writtin and ſub^t w^t his awne hand And Inreſpect þ^r of IT is the humble opinion of þe cōmittie That the parlia^t wald give warrand and cōmand to the Judges abone deſigned w^tin whoſe boundis and juriſdiction the ſ^d Jonet gordoun and remanent debtor^e of þe ſ^d vmq^le nathaniell gordoun dwellis and hes þ^r reſidence To grant proces and proceid in the adminiſtra^oune of Juſtice at þe inſtance of þe ſupplicant^e aganis þe ſ^d Jonet gordoun and remanent debtor^e of þe ſ^d vmq^le Nathaniell for pay^t to þe ſ^d M^r Ro^t keith of þe ſowme of 100 dollor^e and to þe ſ^d Elſpeth Donaldſone of þe ſowme of 200 dollor^e and for pay^t of þe reſt to þe ſ^d griffell ſeytoune relict of þe ſ^d vmq^le Nathaniell as his bro þ^r ſall think fitt And to give and pronunce decreitis and ſentences for this effect conforme to þe ſ^d vmq^le Nathaniell his teſta^t foreſaid Notw^tſtanding of þe decreit and ſentence of forfalto^r given aganis the ſ^d vmq^le Nathaniell gordoun q^r vpon he ſuffered death

AND that for this effect the parlia^t wald be pleaſed to aſſigne and diſpone the benefite of þe foreſ^d forfalto^r for þe ſowmes and debt^e abone-wr̃in awand to þe ſ^d vmq^le Nathaniell To and in favor^e of þe ſupplicant^e for þ^r pay^t foreſ^d and to þe ſ^d griffell ſeytoune his relict for þe reſt Reſerv- and to the defendares thair Juſt defences as accordis of the law

J COUPAR
I. P. D. Com.

2 martij 1649
Red^t approvin In parliament
LOUDOUN Can^rius
I P D P]

. . . . . .

ACT in favours of the Heretors of Glencairn.

144 THE ESTAITTES of parliament ⁊c° Having considered the supplica°un of the hereto^r^ within the Barronie of Glencairne Shewing The erle of queinsberrie or some vtheris in his name To his lo / behove To have purchest and procured at the Isle of wight from our laitt soverigne ane Gift of regaletie of the sd barronie of Glencairne within the q^lk^ Barronie The said erle of queinsberrie hes no landis pertening to his lo / in propertie Mynding by this and vther his lo / Indirect dealling To draw the supplicantis To verie Greatt Toyle and chairge And will not ffaill at lenth by so doing To lay thair haill Land^e^ waist And Thairfoir Craveing ane act To be past ffor dischairging that regaletie taikin be the said erle of queinsberrie of the saidis landis To the great hurt and prejudice of the supplicantis with all that hes followit or may follow thairvpoun As at mair lenth Is contenit in the said supplica°un Quhilk supplica°un ⁊ desyre þ^r^of with ressounes aganst the sd regaletie togidder with the ans^r^is of the erle of queinsberrie maid thairto Being takin In considera°un be the estaittes of par^t^ and they being meit ⁊ ryplie advysit thairwith THE SAIDIS ESTATTES dischairges any Gift of Regaletie of the said^e^ land^e^ ⁊ baronie of glencairne purchest be the said erle of queinsberrie or some vther in his lo / name for his behove at the leist Sua far as the said Gift may be extendit to the said regaletie And declaires the samyne To be null with all that hes followit or may follow thairvpouñ.

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145 ACT for transportation of the Kirk of Bassindean.

. . . . . .

146 DECREET against the Earl of Glencairn, annulling his Patent of Earledome [28] May 1488.

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[LETTERS from Major Holburne to the Marques of Argyle and from the Parliament to Major Holburne

FOR the richt honorable My Lord Marquis of argylle

Right hon^ble^

I DID apprehend to find this place in some diss[order] wch mad me mak hast hither: when I cam to toune I found the whol four companies poss[essed] off the castle, and haue dissarmed ther off[icers] and wold not suffer me to enter: but af[ter] I had spok with them I entered and pers[uaded] them to come out: and the thrie Compan[ies] ar marched my oune I haue keipt in the castle: I wes necessitated to giue them a months means, bot I hope I sall gett that payed back to me when it can be had from the cuntrie: I dare not . . . . . the men I haue heir, Except your Lo: will cause send a troup off horse v . . . . quicklie I fear ill in thir places: a n[umber] off malignants wer joyned with them and did persuade them to this mutiny I . . . . not take any course with them till I h . . . some force ffor thes I haue I can not trust to them: so I most againe earnest[ly] intreat your Lo: to cause strachans troup march hither with Expeditione, I thocht to haue gone north with them my selffe; [bot] it is not nou possible except I could hazard the Losse off this place. I desire to heir ffrom your Lo: by this berer. And I rest

Stirlin
1 off march
1649

Your Lo: humble and
faithfull seruant
JA: HOLBURNE

I most crave your Lo: pardone againe to advyse your Lo: may forder to dispatch the raising off the troups and foote especialy out off thes places that ar best affected.

2 Marche 1649
Producit be the Lo / Marqueis of Argyle

LETTER ffrome the parlia^t^ To Major Howburn

THE Lo / Marquis of Argyle having cōmunicated unto us yor letter to his Lo / with another alsoe from Collonell Jo: June to yor self, Wee could not but take notice of yor care, and faithfulnes, in the trust reposed in yow. And as wee returne you thanks for what you haue done in securing that place, and for preventing any inconveniency that might arise amongst the Sogers: Soe doe wee desyre you to continew in doeing euery thing, wch in those parts yow shall conceaue to be most for the good of the service, Wherin that yow may be the better encouraged, and assisted, Wee haue appointed the Lo / Gener; to ordo^r^ Colo^ll^ Gilb. ker, and Ma / Strachans troope to repare to yow, to be disposed on, and quartered neer yow, as yow shall think fitt; And Collonell Scotts troop alsoe furthw^t^ to remove to Lithgow shyre, to be in readines at all occasions

AS for what yow have geven to the Sogers wee shall take Care yow be duly repayed thereof. Wee send yow a Coppy of the Proclamation wch wee haue published against the Runawayes, so desyring to hear from yow frequently wee remain

Ed^r^ 2^d^ March
1649

2 martii 1649
Red and approvin in par^t^
LOUDOUN. Can^tt^rius
I. P. D. P.]

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[REPOIRT of the Committee of Billis on the Supplicaõun of Sr Thomas Ruthven of ffrieland

AT Edr þe 26 febr 1649

THE ſupplicaõun of ſr thomas Ruthven of frieland for him ſelff and in name of ſindrie hereto℞ of perthſchyre Craving that þr may be ane cõmiſſioun direct to ſuch hereto℞ of þe ſaid ſchyre as þe parliat pleiſſ ffor calling þe collecto℞ of þe ſaid ſchyre to ane accompt ffor certane additione money collectit be þame q[ik] was Impoſit wpone þe rents of þe ſaid ſchyre be þe comittie þof ffor releiff of þe comoun burdings of þe ſame ffor þe q[ik] þe ſupplicant and wther℞ þe weill affectit of þe ſaid ſchyre ſtand℞ oblidgit · Being red t conſidderat be þe cõmittie of bill℞

IT is þe humble opinioun of þe ſaid cõmittie That ane comiſſione be granted to Jon campbell of Aberlydnoch Peter Hay of Leyis Sr Patrik Ogiluy of Inchmairtine ſr thomas Blair of Balthyock Williame Olyphant of balgony Murray of Ochtertyre Laird of waliefeild t Laird of Bonhard ſr thomas ſtewart of grantullie Henrie Sinclair of glaſſingall Gilbert Campbell of Kathik Mr Dauid Kinloch of aberbothrie and williame Butter of pitcullane Or any thrie of thame And þat they haif powair to call t conveine befoir þame the collecto℞ of Loane taxt t monethlie mentenance of þe ſaid ſchyre And To exact frome thame compt rackning t payt of þe ſaid additione money Impoſit on þe rentis of þe ſaid ſchyre ffor defrying the publick burdings þof And to Imploy þe ſame for þe ſupplicants þr releiff of þe ſaid℞ burdings Lykas It is þe humble opinioun of þe ſaid cõmittie that Lr̃ez of hoirning be direct heirwpone aganeſt þe ſaid℞ cõmiſſioners and collecto℞ rexiue In forme as effeir℞ at þe Inſtance of þe ſaid ſr thomas Ruthven for himſelff and In Name t behalf foirſaid And þr þe ſaid ſr thomas be ordanit to be conveiner of þe ſaid℞ cõmiſſioner℞ to þair firſt meiting And þt he mak adverteiſment to þame for þt effect

J COUPAR
I P D. Com.

2 of marche 1649
The eſtaittes approves the repoirt abonewrettin
LOUDOUN · Canrius
I. P. D. P.]

. . . . . .

III MARTII.

ACT againſt Worſhippers of falſe gods.

THE Eſtates of Parliament conſidering, that divers of the Subjects of this Realm Trades in their Civill affairs with Heathens, whoſe abominations they may poſſibly learn, and thereby be defiled, and defile others; And not willing to leave ſins of ſo high a nature to an Arbitrary puniſhment, do Statute and Ordain that whoſoever ſhall worſhip a falſe God, ſhall be put to death without pardon. 147

ACT againſt beaters or curſers of their Parents.

THE Eſtates of Parliament conſidering how great and attrotious a crime it is for children to beat or curſe their Parents, And how the Law of God hath pronounced juſt ſentence of death againſt ſuch as ſhall either of theſe wayes injure either of their Parents, Do therefore Statute and Ordain, That whoſoever ſon or daughter, above the age of ſixteen years, not being diſtracted, ſhall either beat or curſe, either their father or their mother, ſhal be put to death without mercy, And ſuch as are within the Age of ſixteen years to be puniſhed at the Arbitrament of the Judge, according to their deſervings, That others may hear, and fear, and not do the like. 148

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WARRAND granted to Sir William Scot for giving out Commiſſions for Revaluations. 149

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ACT in favours of Captain John McNab

THE Eſtattes of Parliat now pũtlie conveined in this ſecund ſeſſion of the ſecund trienniall Parliament be vertew of ane act of the cõmittee of eſtatts who had power and authoritie from the laſt Parliat for conveineing the parliat Haveing Hard the ſupplication giwen In be captaine Jon McNab Shewing That q℞ the committee of Eſtatts Taking to thair conſideration the Loſſes and ſufferrings ſuſteinit be him for his affection to this caus and proſecution of the ſervice againſt the rebells And ffinding be the report of the commiſſion giwen in for tryell of his loſſes That the ſamen extends to ffyſteine thouſand pounds ſcotts and alß conſiddering That his ground Is altogether waiſtit ſua that there is nothing left to him and his familie to live vpon, Be thair act of the dait at edr the ffyſt day of Auguſt 1647 modified to him The 150

ſowme of thrie thouſand pounds ſcotts for his pũtt ſubſiſtance and towards the reparation of his loſſis As the ſaid act of the daitt forſaid produced Together with the ſaid ſupplication will teſtifie. Off the q[lk] modification he never as zit receavit pay[t] nor of any pairt thairof notwithſtanding of any ordinance conteinit in the ſaid act q[r]by the generall cõmiſſar for the tyme & his deputts wer ordainit to delyver to him ane hundreth bolls of meall or moe equivalent therto for his preſent neceſſitie and of frequent addreſſ maid be him to the ſaid generall cõmiſſar thairvpon in vaine To his great hurt & prejudice As at maire Lenth is conteinit in the ſaid ſupplica[o]n q[lk] with the report of the committee of common burdens To whom the ſamen was remitted being taken In conſidera[o]n be the ſaids eſtatts of parlia[t] The ſaids Eſtatts of Parliament Hes ordainit and ordainis S[r] James ſtewart generall cõmiſſar To mak pay[t] to the ſaid captane Jo[n] maknab of the forſaid ſowme of thrie thowſãnd pounds And ane hundreth bolls meall or moe equivalent therto for his preſent neceſſitie & towards the reparation of his loſß in a pairt but prejudice of the aſſeignements maid in favours of the armie now pũtlie one foot

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V MARTII.

151 WARRAND to the Lords of Seſſion to grant diſpenſation for Inferior Judicatories.

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VI MARTII.

152 COMMISSION granted to the Earl of Caſſils, Lairds of Brodie and Libertoun, [and Alex[r] Jaffray] to go to his Majeſty in Holland with the Inſtructions given to them.

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153 RATIFICATION in favours of John Hamilton of Vdſtoun.

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154 RATIFICATION in favours of Maſter David Hay of Woodcockdail.

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155 RATIFICATION in favours of Mary Durhame and Major Dickson.

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VII MARTII.

ACT anent the additionall Exciſe.

THE Eſtates of Parliament taking to their conſideration, That the neceſſary charges of this Kingdom, during the time of the troubles thereof are ſtill growing, And that the Exciſe which hath been formerly impoſed upon the Exciſable goods, will not prove very effectuall without ſome further addition to be made thereto; Therefore the ſaids Eſtates do hereby adde to the Exciſe formerly granted eight pennies for each pinte of French Wine more nor it pays preſently, ſixteen pennyes for each pinte of Sack, Rheniſh Wine and other Wine of that nature, and ſtrong Waters imported more nor it pays preſently: And that the particulars following, pay the particular Exciſe aftermentioned, viz. Ilk pound of Tobacco, three ſhilling, ilk Ox, Cow or Bull of ſixteen pounds price or above exported, three pounds; ilk ſheep exported eight ſhilling; ilk Stirk exported, thirteen ſhilling four pennyes; ilk Lamb or Kid three ſhilling, each exported Horſe or Mear above the value of twenty pound, four pounds of Exciſe; each Horſe or Mear of the value of twenty pound or under, fourty ſhillings of Exciſe; And that the exported Merchant Commodities pay Exciſe as formerly: And for the imported Merchandiſe, that the ſame pay according to the quality contained in the former Act of the date the tenth day of March 1647 years, The double of the Exciſe therein contained, Inde of each pound worth two ſhillings, And the remanent Exciſable goods to ſtand according as the ſame are ſet down in the table contained in the ſaid former Act of Exciſe: And the ſaids Eſtates, Ordains the foreſaid additional Exciſe, to be paid and uplifted, As in the ſaid former Act of Exciſe, And the Exciſe of the Wines to begin preſently, and other Exciſeable goods upon the firſt of May next, and to continue and endure for the ſpace of three years after the date hereof: And ſiclike the ſaids Eſtates of Parliament, give power, Commiſsion and Warrand to the Commiſsioners nominate for the Exciſe, to Ferme and Set the ſame in Tak, as it is now added, to the beſt avail that can be had therefor, Without prejudice always of the confiſcation of any of the particular goods Exciſeable abovementioned (whilks are diſcharged to be tranſported) by the Theſaurer or his Deputies, conform to the former Acts. 156

ACT anent theſe Perſons who are to be Fined, and from whom moneys are to be borrowed.

THE Eſtates of Parliament now preſently conveened, Taking to their conſideration, the manifold burdens under which the Kingdom lies, and great ſufferings of many wel-affected, for whoſe ſubſiſt- 157

ance the Publick will be addebted unto them great ſummes of money, and finding themſelves obliged to provide ſome effectuall means for ſatisfaction thereof; Therefore the ſaids Eſtates Ordains a Commiſſion to be granted bearing a power to theſe who ſhall be therein nominate, or Quorum thereof for borrowing of money, according to the reſtrictions contained in the Act at St. Andrews of the date the [third] day of [february] One thouſand ſix hundred and fourty [ſix] yeares: And in reſpect that one of the reſtrictions of the ſaid Act bears, That theſe who have lent moneys ſhould not be urged to lend againe; yet notwithſtanding thereof it is Declared, that theſe who have onely lent to the unlawfull Engagement, and theſe who being formerly proceſſed and advanced money under the name of lending, are Declared not to be exeemed from lending, as alſo bearing a power for borrowing in an ordinary way from thoſe who have been imployed in the publick ſervice, and have been faithfull in their Places, and have not formerly lent, and in like manner from borrowing from thoſe who having payed money by publick Warrants have tak, good-deed, or gratitude from the parties to whom they payed the ſame, With power lykewiſe to theſe contained in the Commiſſion or Quorum thereof foreſaid, To fine ſuch Collectors and Intromettors with the publick dues, as have not charged themſelves faithfully with all the publick money and proviſion intrometted with by them, Such as have diſcharged themſelves of more nor they have really disburſt or given out, Such as at their own hand have taken more allowance nor was due to them for their ſervice, Such as have taken greater prices from the publick nor they did pay themſelves, for victuall or other proviſion being intruſted by the publick, and not by way of bargain, Such as have intrometted with any publick money, or other goods belonging to the publick, and concealed, and not compted for the ſame, Such as have made and bigged up great ſums and compts upon the publick by unwarrantable grounds, Such as have made up great Regiment-Accompts for more number of Souldiers than they truly had, Such as have applyed the money due to the common Souldiers and Regiments to their own uſes, Such as have taken double payment for Quarters, viz. who have taken pay of the publick, and yet have taken free Quarters of the Country, Such as have exacted or uplifted money of the Lieges without a Lawfull Warrant, Such as have taken money for Levies of Horſe or Foot, and hath applyed the ſame to their own uſe, Such as have made themſelves good fortune in the publick Service, and turned in oppoſition to the Covenant, as occaſion offered; and this not to be extended to theſe who timouſly accepted the benefit of the Treaty at Stirling, Such as have any wayes wronged or abuſed their Truſt in the publick ſervice, Such who in publick Callings or Offices have extorſed the Lieges.

ACT anent the filling of the places of the Principals of Philoſophy, within the Vniverſity of S^t. Andrews.

THE Eſtates of Parliament now preſently conveened in the ſecond Seſſion of this ſecond Trienniall Parl. By vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parl. for conveening the Parl. Having taken into their ſerious conſideration, an Act of the Commiſſion appointed by the late Generall Aſſembly, and this preſent Parliament, for Viſitation of the Univerſity of St. Andrews, whereof the Tenor followes. At Edinburgh the third day of March, 1649. yeeres. The Commiſſioners appointed by the late Generall Aſſembly and preſent Parliament for Viſitation of the Univerſity of St Andrews, Taking to their ſerious conſideration, of how great and publick concernment it is, That the principalls places of Colledges in the Univerſity, when they ſhall happen at any time to vaike, be planted with men not only able for learning, but alſo eminent for gravity, and of known integrity, godlineſſe, and good affection to the publick cauſe of Religion, conſidering alſo that already upon the ſame ground of publick concernment, All the places of the new Colledge are planted by the direction and Call of the Generall Aſſembly: And furthermore that long agoe in the firſt Parliament of King James the ſixt, Act. 11. It is appointed upon good and weighty reaſons expreſſed in the ſaid Act, That none be permitted, nor admitted to teach & inſtruct the youth in Univerſities & Colledges, But ſuch as ſhall be tryed and approven by the Rulers of the Kirk, Doe herefore ordain that henceforth the places of the Principalles of the Philoſophick Colledges in the ſaid Univerſity, when they ſhall happen at any time to vaik, ſhall not be planted but by the adviſe and authority of the Generall Aſſembly, Doe approve and ratifie the ſaid Act in the whole heads and clauſes thereof; and ordains the ſame to have the ſtrength of a Law and Act of Parliament in all time comming. 158

ACT of Maintenance for three Moneths.

THE Eſtates of Parliament, now preſently conveened in this ſecond Seſſion of the ſecond Triennall Parliament, by vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening the Parliament, Having conſidered the dangerous poſture of affaires in this Kingdom, both in reſpect of Inteſtine and Forraign Enemies; And being informed that many of theſe who have been moſt active in the late Engagement, are upon Deſigns and Attempts to involve this Kingdom in new troubles, Withall having received ſeverall intelligences of 159

eminent dangers, to the Cauſe, Covenant, and this Kingdom, from abroad; And being obliged in diſcharge of the truſt committed to them, to take care of the ſafety of the Kingdom, As they reſolve for themſelves, to uſe all lawfull means and peaceable wayes to prevent theſe dangers, ſo that they have thought fit to prorogate and continue the monthly Maintenance, as the ſame was impoſed upon the Kingdomes in the moneths immediately preceeding the moneth of February laſt, without the deduction of a third, and with a fift part more nor was payed in the ſaids preceding moneths, And that for the moneths of March inſtant, April and May thereafter following, whilk ſhall be payed by the Shires and Burghs, without any deduction or defalcation; And therefore Statutes and Ordains, That ilk Burgh and Shire within this Kingdome are and ſhall be liable, and obliged in payment of the particular ſummes of money underwritten for the ſaids three moneths, And that betwixt and day of each moneth of the ſaid three moneths, And Ordains the ſame to be payed to Sir James Stewart of Kirkfield Knight, Proveſt of Edinburgh, Theſaurer of the Army, and Collector Generall of the ſaid Maintenance, or his Deputies, or ſub-Collectors; And that the ſummes to be paid by the ſeverall Shires and Burghs, be as follows, viz.

THE Sheriffdome of Orkney of monethly pay, 1371. l. 12. s. Inuernes 5011. l. 4. s. Caithnes 1134 l. Cromarty 118. l. 16. s. Sutherland 507. l. 12. s. Nairn 378. l. Elgine 2268. l. Aberdeen 7847. l. 12. s. Bamff 1717. l. 12. s. Kincairdin 1879. l. 4. s. Forfar 6004. l. 16. s. Perth 9601. l. 4. s. Fyfe 7970. l. 8. s. Stirling 3045. l. 12. s. Kinroſe 172. l. 16. s. Clakmannan 626. l. 8. s. Edinburgh 5000. l. 8. s. Linlithgow 2095. l. 4. s. Hadingtoun 4060. l. 16. s. Berwick 4266. l. Roxburgh 6933. l. 12. s. Selkirk 1533. l. 12. s. Peebles 1965. l. 12. s. Lanerk 6458. l. 8. s. Air 7279. l. 4. s. Wigtoun and Kircudbright, 5248. l. Dumfreis 5335. l. 4. s. Renfrew 2646. l. Dumbartan 1479 l. 12. s. Argyle 3487. l. Bute 550. l. Followes the ſums payable monethly by the Burghs, conform to their taxt Roll, viz. Edinburgh 6208. l. 16. s. Perth 972. l. Dundie 1440. l. Aberdeen 1512. l. Stirling 288. l. Linlithgow 388. l. 16. s. St. Andrews 936. l. Glaſgow 1836. l. Air 410. l. 16. s. Hadingtoun 388. l. 16. s. Dyſert 324. l. Kirkcaldie 720. l. Monroſe 388. l. 16. s. Cowpar 259. l. 4. s. Anſtruther-eiſter 216. l. Dumfreis 324. l. Inuernes 540. l. Brechine 264. l. Irwing 302. l. 8. s. Elgine 162. l. Jedburgh 151. l. 4. s. Kirkcudbright 216. l. Wigtoun 162. l. Pettinweym 144. l. 8. s. Dumfirling 194. l. Dumbartan 194. l. 8. s. Renfrew 108. l. Lanerk 194. l. 8. s. Aberbrothok 97. l. 4. s. Bruntiland 259. l. 4. s. Peibles 129. l. 2. s. Craill 259. l. 4. s. Kinghorn 129. l. 12. s. Tayne 108. l. Selkirk 151. l. Anſtruther-weſter 64. l. 16. s. Culroſs 108. l. Dumbar 216. l. Bamff 86. l. 8. s. Whithorn 54. l. Forfar 32. l. 8. s. Rotheſay 72. l. Forres 64. l. Rutherglen 54. l. Northberwick 43. l. 4. s. Cullein 32. l. 8. s. Nairn 43. l. 4. s. Lauder 54. l. Inuerkeithing 108. l. Kilraynie 32. l. 8. s. Annan 36. l. Lochmaben 21. l. 12. s. Sanquhar 32. l. 8. s. Galloway 21. l. 12. s. Dingwall 21. l. 12. s. Queinsferrie 129. l. 12. s. Dornoch 21. l. 12. s.

FOR the better inbringing and collecting whereof, The ſaids Eſtates of Parliament allowes to the ſaid Collector, Deputies, one or more in each Shire, to be nominate by the Committee of Warre thereof, betwixt the day of inſtant, ſuch Fees as the Committees of Shires ſhall allow, not exceeding the former allowance, whilk Collectors Deputes ſhall finde ſufficient Caution to the Generall Collector, wherein if the Committees of War ſhall fail, the generall Collector after the day foreſaid to appoint his own ſub-Collector in theſe Shires who ſhall fail to nominate and finde ſurety betwixt and the day forſaid: And that the ſaid ſub-Collectors be comptable to the Committees of War of their intromiſſion with all publick dues to be uplifted by them, and how the ſamen are given out and imployed, without prejudice of their making compt and payment to the generall Collector of the maintenance due by the Shires, The Burghs alwayes being free of the foreſaids Fees: And the ſaids Eſtates Ordains that the Letters and charges to follow upon this Act for payment of the foreſaid three moneths Maintenance, ſhall be raiſed and direct at the inſtance of the ſaid Sir James Stewart, againſt the ſub-Collectors of Shires, Magiſtrates of Burghs; And at the inſtance of the Collectors of Shires and Magiſtrates of Burghs reſpectivè, againſt the ſub-Collectors of Parochs, Heretors, Fewares, Life-renters and others indebted in payment of their ſeverall proportions of their three moneths Maintenance now impoſed; And with power to the ſaid Sir James Stewart, that if any Shire or Burgh be deficient in payment of their parts of the foreſaid three moneths Maintenance, to imploy any forces that ſhall happen to be upon the bounds for the time, or in the next neighbouring bounds adjacent thereto, for uplifting of the ſaid three moneths Maintenance from the deficient Shires, Burghs, and Paroches, Which Troops are to receive their entertainment from the deficients at the ordinary rates, beſide the payment of their Maintenance; And the ſaids Troops or Parties ſhall not be imployed to quarter upon the deficients, till firſt there be ſix dayes warning given to the deficients, or at the Paroch Kirks where their Lands lyable for the ſaid Maintenance lies: And it is hereby Ordained, That the Committees of War in the ſeverall Shires, ſhall be aiding and aſſiſting to the ſaid generall Collector herein, for inbringing of the ſaid three moneths Maintenance; And in regard of the prorogating of the foreſaid Maintenance on the Shires and Burghs for the foreſaids three moneths of March, April and

May, It is Statute and Ordained by the Eſtates of Parliament, That every debtor ſhall have retention from the creditor of one and a halfe, and a fift part more of each hundreth of one yeers annual rent proportionally for the ſaids three moneths, ſo that the debtor ſhall be liable in paiment of ſix Merks, two ſhillings eight pence of annual rent of each hundred Merks of Stock proportionably, according to the ſaids three moneths: And in regard of the preſent diſtreſſed condition of the Sheriffdomes of Argyle and Bute, The Eſtates doe exeem the whole Sheriffdome of Argyle from all payment of the foreſaid three moneths Maintenance of March, April, and May, except the Lands of Morven Ardgour, Kingerloche, and the Iſles of Mule, Tery, Cole, Icolumkilne, Muck and Rowme, the Maintenance whereof is aſſigned to Hector Maccleane of Torlosk, for keeping the ſtrength and Garriſon of Barneboil; As alſo exeems the Sheriffdom of Bute from all payment of the equall halfe of the ſaids three moneths Maintenance, and Ordains the ſame Shire of Bute, to be onely lyable in payment of the other halfe of the ſaids three moneths Maintenance, and to be proportionably paid by the Heritors and others liable in paiment thereof through the whole Shire of Bute; As alſo the Eſtates declares this preſent Act to be without prejudice to the Act granted in favours of the Town of Inuernes of the fift of January, 1647. That any Taxations or Impoſitions to be laid on that Town, be allowed to them in part of their loſſe, conform to the Tenour of that Act. And laſtly it is Ordained, That no ſuſpenſion be granted without conſignation, And that all Heretors within Burghs, Pendicles and Liberties thereof, ſhall contribute with them for payment of the maintenanee, as is contained in the Act of the 27. of February, 1645. And the ſaids Eſtates Ordains, That the Lands and Teinds ſhall pay the foreſaid Maintenance, as they lie locally in Shires and Burghs, conform to the former Acts of Maintenance; And it is hereby Declared, that this Act is to be without prejudice of the priviledges of the Lords of Seſſion, conform to the former Acts of Maintenance; And to the effect it may be clearly known, what publick monies of tenth or twenty penny, Loan, Taxt, by-gone Maintenance, and borrowed monies is yet reſting unpayed by the Shires and Burghs, or uncompted for and unpaid by the ſub-Collectors to any generall Commiſſary, or not compted and allowed them: The Eſtates of Parliament, doe hereby give Power and Warrant to the Committees of Warre in the ſeverall Shires to take particular tryall thereof, conform to the Parliaments Letters direct to them for this effect of the day of February laſt, and thereafter to make report thereof to the Parliament or Committee of Parliament, withall convenient diligence; And the Eſtates diſcharges any Heretor within this Kingdom, to exact any part of his Maintenance from their Tennents, except where the Committee of Warre upon hearing the Heretors and Tennents, ſhall find the Lands to be ſet to theſe Tennents with ſuch eaſe and expreſſe condition, as thereby the Tennent is both liable, and bound to relieve him thereof.

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ACT in favours of Sir James Stuart Generall Commiſſar anent the fifth part added to the Maintenance. 160

. . . . . .

ACT in favours of the Royall Burrows. 161

. . . . . .

RATIFICATION of the Act of the Committee of Eſtates for exemption of Glenurquhy, Lawres and others. 162

. . . . . .

ACT of exemption in favours of the Laird of Buchanan. 163

. . . . . .

ACT of exemption in favours of the Burgh of Breichen, and others. 164

[EXEMPTIONS from maintenance not Inſrt in the act of febr [3] 1649

The towne of Lanerke
The towne of Brechen
Waſtit Lands perteineing to the Erle of ſutherland extending to 36 pound per menſem
In the ſhirreffdome of Elgin & forres dollas extending to ſaxtene pounds per menſem
knockandie ten pounds per menſem
boigs ten pound per menſem
Erliſmill aucht pound per menſem
Leathen threttie pound per menſem
ſpynie & his mother tuentie pound per menſem
aikinway ffyve pounds per menſem
tillieglans ffoure pound per menſem
The towne of Elgin threſcore nyne pounds per menſem
The towne of fforres ffiftie pounds per menſem

In the ſhyre of Nairne
L: Calder 30 pound per menſem.
Mr James campbell ſaxe pound per menſem
Patrick campbell of both aucht pound per menſem
Colin campbell of Clunes 4 pound per menſem
Laird of Leathen 44 lib. per menſem
kinſtarie ten pounds per menſem
L: grang ten pound per menſem

Edengeich ten pounds per menſem
knockandie ffour pound per menſem
Clewae & his ſone 16 pound per menſem
Towne of nairne 36 pound per menſem

In the ſhyre of Inuernes
The Children and relict of vmq^{ll} Colyne campbell of ardeerſeir & calcantrie 20 $^{lib.}$ per menſem
The towne of culen 27 [pound] per menſem

7. Marche 1649
The Eſteat^{t} of plia^{t} Grantis exemption To thoſ ꝑteinit in the roll abovewr̃in of ꝑ^{t} mantenance of feb. Marche apryle & Maij
LOUDOUN Can^{llrius}
I P D P]

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[LETTER from the Council of State appointed by authority of the Parliament of England to the Parliament of Scotland.

FOR the Right Honourable the Noble-Men Barons & Burgesses assembled in ꝑe Parliam^{t}. of Scotland; Or the Parliament not sitting, To the Committee of Estates of the Parliam^{t}. of Scotland, or any other Committee or Councell in whom the power shall be in the intervalls of Parliament

My Lords & Gentlemen
ACCORDING to the Order of the Parlt of England of the 26th: of this instant February Wee doe herewith send unto yor: Lord^{ps}: a Copie or Duplicate of the papers given in unto the said Parliam^{t}: by the Earle of Lothian, S^{r}: John Chiesley & M^{r}: Glendonyng, Your Comission^{rs}: here; And according to the Order of the Parliam^{t}: of the said 26th. of February 1648. Wee desire to know whether the Parliament & Kingdome of Scotland doe or will owne and justifie the said paper that hath beene presented to the Parliament of England in their Names.

Signed in the Name & by Order of the Councell of State appointed by authority of Parliament by

Derby House
27°: Februarij
1648.

Your humble Servant
B: DENBIGH.
præses pro tempore

7 Martij 1649
Producit be the Lo chan^{r} & Red in audience of the par^{t} & remitted to the comitte of diſpatches & to repoirt to the par^{t}

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ORDERS of the House of Commons to send a Duplicate of ꝑe Scotts Commiſsioners papers into Scotland with a Message

Die Lune 26° ffebr: 1648.
ORDERED by the Cõmons aſsembled in Parliam^{t}: That it be referred to the Counſell of State to take Care for ſending the Meſsage wth the Duplicate of the Paper into Scotland

HEN: SCOBELL
Clic. Parliament.

Die Lune 26° ffebruarij 1648
ORDERED that a Meſſage with a duplicate of the Paper ſent by the Commiſsioners of Scotland be forthwth ſent from this Parliament, to the Parliament and Kingdome of Scotland, to know whither they doe or will owne & iuſtify the ſaid Paper that hath been ꝑſented to this Parliament in their Names.

HEN: SCOBELL
Clic Parliament.

7 martij 1649
Producit be the lo / chan^{r} Red in audience of the par^{t} And remitted to the ꝑmitte of diſpatches quha ar to repoirt to the par^{t}

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PAPER Given in by the ſcots Commiſsioners at London to the Parliament of England.

IN the yeare 1642. & afterwards in the yeare 1643. when the Popiſh, Prelaticall, & Malignant party, did grow prevalent in this Kingdome, the honoble Houſes of Parlt, did cõmunicate ſeverall Declaracõns & papers to the kingdome of ſcotland, thereby to informe their iudgem^{ts}. of the ſtate of the differences here, And to gaine their aſsiſtance, and invite their forces to come into this Kingdome. In wch Declaracõns & other papers, they affirme & declare, That the Army of the Houſes of Parlt was raiſed for maintenance of the true Religion, the Kings perſon, hono^{r}:, & estate; priviledges of Parlt; rights & libertyes of ſubiects; and for the prevencõn of the alteracõn of Religion. That their Enemyes deſigne was, to corrupt & alter Religion, throughout the whole Island; And that they begunne with Scotland, knowing well, that the ſame fate attended both Kingdomes. That they have onely inverted the manner of their proceeding, conceiveing it an eaſier way to deſtroy them, if they may firſt prevaile over the Parlt & Kingdome of England. That whenſoever Religion is ſubverted or changed in the one Kingdome, it will be eaſily accompliſhed in the other, Religion being the band & foundacõn of the happineſse of both, That what

Declara: & account to all the world An: 1642

Engliſh Com^{rs}: Aug: 1643.

corruptions take roote in England, will quikely spread their venome, & infection, to their Neighbour Church of Scotland. They declare the true state of the quarrell to be Religion, In reformation whereof they are ſoe forward & zealous, as there is nothing expreſsed in Scotlands former or later Declaracõn wch they have not ſeriouſly endeavoured to effect They earneſtly intreat the Generall Assembly to further & expedite the aſsiſtance deſired by both Houſes from the Kingdome of Scotland, upon this ground and motive; That thereby they ſhall doe great ſervice to God, and great honor: may redound to themſelves, in becomeing the Inſtruments of a glorious reformacõn not onely throughout this Island, but from thence poſsibly to be spread to other Churches, oppreſsed under the Anti Chriſtian bondage & tirranny of pe popiſh & prelaticall faction. They cõmend the piety & faithfulneſse of the Generall Assembly of the Church of Scotland, in propounding thoſe things wch may conduce to a more close & firme union of the two Churches & Nations of England and Scotland, in preſerveing & mainteyning the trueth & purity of the Reformed Religion, Not onely againſt Popery, but all Superſtitious Sects and inovators whatſoever; And declare that the Houſes of Parlt have ever made the reformacõn of Church government and Diſcipline, their cheifeſt ayme, though they have beene frequently interrupted & powerfully oppoſed in the proſecucõn & accompliſhmt: of it, And however they continue still in the storme & conflict; yet they take the peace, liberty and preſervacõn wch God hath affoorded Scotland, as a pledge of the like mercy intended to them, in his good tyme; hopeing, that God will perfect their deſignes & endeavors. of a full reformacõn in all things pertayning to Religion: And profeſse their earneſt deſires for unity of Religion in all ſubſtantiall parts of Doctrine, worſhip & Diſcipline, that both Kingdomes might be more ſtrictly united; And enioy the advantages of his Mã. more eaſy, ſafe, & comfortable Governmt:, the people a more free communion in all holy exerciſes, & duetyes of worſhip; and that there might be a more conſtant ſecurity of Religion, agt. the bloudy practiſes of Papists, & deceitfull errors. of Sectaryes. They Remonſtrate, that it is farre from their purpoſe or deſire, to let looſe the golden reines of Diſcipline and governmt: in the Church, to leave private perſons or particular Congregacõns, to take up what forme of Divine ſervice they pleaſe; but doe hold it requisite, that there ſhould be throughout the whole Realme, a conformity to that order which the law enioynes, according to the word of God. They proteſt in the preſence of the All seeing Deity, that the ſervices wch they have beene desirous to performe to their ſoveraigne Lord and King, and to this Church & State, in provideing for the publique peace & proſperity of his Matie: and all his Realmes, to have beene and ſtill to be the only end of all their Councells and endeavours; wherein, they have reſolved to continue freed and enlarged from all private aymes, perſonall respects, or paſsions whatsoever. They oft mention their proteſtation, taken by every member of both Houſes, promiſeing in the presence of Allmighty God to defend his Matie:, And diſclame the haveing any purpoſe to offer the least violence to his person, wch hath and ever shall be deare unto them. They declare, that they expect the helpe and aſsistance of Scotland, in defence of the Cauſe, which if the popish party prevaile, muſt needs either involve them in that alteration of Religion, which will be made here, or ingage them in a Warre againſt this Kingdome to defend their owne Religion and liberty. And they profeſse before the Everliveing God, the safety of Religion, lawes & libertyes in this and all other his Maties: Dominions to be the cheife end of all their Councells & reſoluõns, w'out any intention or deſire, to hurt or iniure his Matie: either in his perſon or in his iuſt power; That they reſt aſsured, both God and Man will abhorre & abominate that monſtruous & iniurious charge layd upon the repreſentative body of this Kingdome, of deſigneing the ruine not onely of his Mã. perſon, but of Monarchy itſelfe; And appeale to all the world, whether worſe words than theſe can be given them. These Declaracõns & ſolemne Engagemts:, were Communicated to the Kingdome of Scotland, before they did ioyne in the warre wth the Houſes of Parlt. And alſoe both Kingdomes entred into a Solemne league & Covenant; for reformcõn & defence of Religion, for uniformity in one Confeſsion of faith, forme of Churchgovernm; Directory for worſhip & Catechiseing, ffor extirpacõn of Popery, Prelacy, Superſticõn, hæresy, Schisme, profanenes, and whatſoever ſhall be found contrary to ſound doctrine, & the power of Godlineſse, ffor preſervacõn of the rights and priviledges of parliamt:, & libertyes of the Subiect; ffor the honour & happineſse of the King and his poſterity, and the peace & ſafety of theſe Kindomes.

Decla: Sept: 1642 in anſwr: to pe Scotts Declaracõn;

Remonſt: Decr: 1641.

May 1642.

Declar. Octob.; 1642 in anſwer to pe Kings concerning Renton battle.

Declar & Protest. to all pe world 1642

Decla:. Nov; 1642

IN the yeare 1646; after the power and strength of the enemy was broken, the houſe of Cõmons did upon the 17th. of Aprill, publiſh a Declaracõn (wch they likewiſe cauſed ſet up & affixe in every Pariſh Church) wherein they vindicate themſelves from ſeverall miſconſtructions & miſrepreſentacõns of their proceedings: As that they ſhould have any intention or deſire, to make uſe of the great ſucceſse God had given them, contrary to their former profeſsions; or to exceed or swerve from their firſt aymes & principles, in the undertakeing this warre; And to recede from the ſolemne League & Covenant, and treatyes betwixt the Kingdomes; or to prolong theſe uncomfortable troubles & bleeding diſtractions, in order to alter the foundamentall Conſtitucõn & frame of this Kingdome, and to leave all governmt; in the Church loose & unsetled; and themſelves to exerciſe the same arbitrary power

Decla: of pe houſe of Cõmons 17Apr: 1646

over the perſons & Estates of the Subiects, wch the preſent Parlt had thought fit to aboliſh, by takeing away the Starre Chamber, high Cōmiſsion and other arbitrary Courts, and the exorbitant power of the Councell Table. And further they declare, That their true & reall intentions are, and their endeavors: shall be, to ſettle Religion in the purity thereof, according to the Covenant; And to mainteyne the ancient & foundamentall Conſtitucōn & Governmt: of this Kingdome by King, Lords & Cōmons.

IN Novembr 1647. when a peticōn was preſented to the Houſe of Cōmons, ſtileing them, The Supreame authority of the Nation, together wth a printed paper annexed, entituled, An Agreemt: of the people for a firme & preſent peace, upon grounds of cōmon right (wch agreemt: as Wee have found upon peruſeall of both, is the ſame for ſubſtance wth the agreement lately publiſhed) the houſe of Cōmons did declare, that the matters conteyned in theſe papers, were deſtructive to the being of Parlts, and to the foundamentall Governmt: of the Kingdome; And appointed a letter to be written to the Genth: to examine the proceeding of that buſineſse in the Army, and returne an account thereof to the houſe. And when another Peticōn directed to the ſupreame authority of England the Cōmons in Parlt aſsembled, was preſented the 23. of the ſame moneth, They voted that peticōn, a ſeditious and contemptuous avowing & proſecucōn of the former Peticōn & paper annexed, ſtyled, An Agreemt: of the people, formerly adiudged to be deſtructive to the being of Parlts & foundamentall Governmt: of the Kingdome; And another letter was appointed to be ſent to the Generall, to take notice of his proceedings in the execucōn of a mutinous perſon (who was an abettor. of that agreement) at the Rendezvous neere Ware, And to give him thankes for it, and deſire him to proſecute the examinacōn of that buſineſse to the bottome, And to bring ſuch guilty perſons as he ſhall thinke fit, to condigne & examplary puniſhmt. All wch Declaracōns, Proteſtacōns, Oathes, Covenants & ſolemne engagemts: notwthſtanding; Wee finde to our great greife, wonder & aſtoniſhment, That contrary to the diſsent & proteſtacōn of the Kingdome of Scotland, his Matie: is removed out of this life, by a violent death That orders are publiſhed in print, entituled Acts of Parliamt; prohibiteing the proclameing of the Prince of Wales, King of theſe Kingdomes. That the Cōmons, wch now ſit at Weſtmr: (after many Members of the houſe have beene impriſoned, ſecluded by force or neceſsitated to wthdraw, becauſe they cannot act as a free Parliament) have voted away the Kingly office, and the Houſe of Lords, and clame the Authority of a Parliamt: and under colour thereof the power of repealing all oathes of alleadgence or obedience whatsoever even wthout exception of the Solemne League & Covenant, from which the Conſcience cannot be absolved by all the powers on earth: Wee ſee likewiſe strong endeavors uſed & reſolutions taken, to maintaine a licentious liberty and ungodly toleration in matters of Religion (as appeareth by a paper lately published, comonly called An Agreement of the people) againſt which, upon the 26th: of January laſt Wee did preſent a Teſtimony of the Comrs of the Generall Aſsembly of the Church of Scotland, approved of by þe Estates of parliamt of that Kingdome.

IF the honoble: houſes of Parliamt: of England who made the Declarations & ingagemts aforesaid, had beene permitted to ſit & Act with freedome, Wee know there would have beene no ſuch proceedings as Wee have already ſeene, nor cauſe to feare such dangerous evills & strang alterations, as are now carryed on by will & power. Wee may confidently ſay, they would have beene more mindfull of their many Declarations & the Solemne League & Covenant, And more ready to hearken to the advice of their Bretheren of Scotland; And however no regard hath beene had by thoſe who now rule, to what wee have formerly ſaid. And so wee have small hopes that any great notice shall be taken of what wee ſhall further say, Yet in purſuance of the Instrucōns wee have received from the Parliamt: of Scotland, Wee hold it our duty to desire, That there may be no toleration of Idolatry, Popery, Prelacy, Hæreſy, Schisme, or prophanenes That there be no change of the fundamentall constitution & Governmt: of this Kingdome by King, Lords & Cōmons That there may be nothing done, wch may wrong King Charles the Second in his Succeſsion as righteous heire of the Crowne of theſe Kingdomes, But that by the free Councells of both houses of Parliamt: reformation of, and uniformity in Religion may be setled, according to þe Covenant And particularly, that Presbyteriall Governmt: the Confeſsion of ffaith, Directory for worship, and Catechisme may be eſtablished That the juſt right & title of King Charles the Second to the Crowne of theſe Kingdomes may be acknowledged And upon juſt satisfaction given to both Kingdomes he may be received & admitted to the exercise of his Governmt And if notwthſtanding all our earneſt defires & endeavors: to the contrary, the Cōmons now ſitting at Weſtmr: shall proceed otherwiſe in all, or any the particulars aforeſayd Wee doe hereby in the name of the Parliamt: & Kingdome of Scotland, diſsent from the ſame And solemnely protest That they may be free before God & man of all the guiltines, evills, confusions, misereyes & calamityes that may follow thereupon, to theſe diſtracted Kingdomes

Lothian
Jo: Cheislie
W. Glendonyng.

24 ffebruarij 164⅞

Exr Hen: Scobell
Clic Parliament.

7 martij 1649

Producit be the lo / chanr Red in audience of the parl And remitted to the cõmitte of diſpatches quha ar to repoirt to the parl]

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[SUPPLICATION of Patrick Erle of Panmoor

WNTO the heigh Court of Parliament The petition of Patrick Erle of Panmoor

Sheweth

WHERAS I am informed that ther is an act of Parliament presented to be past In favoures of the vasselles & fewars of kirklands and erectiones Ratifieing all acts of Parliament formerlie made anent the ſuperiorities of kirk Lands for annexing of the ſamen to his Maties Crown, and declairing all rights & grants of any of the ſaids ſuperiorities to be null and annulling that Clauſe of the act of Parliament 1647 wherby the Eſtats did remitt the rights & infeftmentꝭ alreadie paſt to the deciſion of the Lords of Session And farther decerning the ſaids Lords of Erection & others in whois hands the few mailles & fewdewties of the ſaids ſuperiorities remaines vntill they be redeemed be his Matie To accept the ſamen ſoumes from the vasselles themſelffs which thay ar lyable to accept from his Matie for redemption therof And to diſpon ther ryt of the ſaids few males & others in favoures of the vasselles in maner contained in the draught of the ſaid act And conceaveing that I may be prejudged incaiſe your lo / ſhall think fitt to pas the ſamen vnles I be ſecured be an exception to be made in the ſaid act In my favours in respect that I am in an ſingular condition & farr different from any others pretending right to the few dewties of Kirklands Heirfoir I have thought fitt to have recourſe to your lo / humblie deſyreing that if your lo / ſhall think fitt to pas ſuch an act, that it be past with ane expres exception & reſervaõun of my infeftment & right of the few dewties of the abbacie of Aberbrothoch Seeing I am in ane different condition from others haveing ryt to the few dewties of kirklands ffor the reaſones following ffirſt Becauſe I have not right to few dewties of the ſaid Lop. be vertew of his Matie of worthie memorie his decreit arbitrall & reſervation therin contained & in the act of Parliament in anno 1633 Reſerveing to titulares of erectiones the fewmailles of ther ſuperiorities ay & whill they receave payment of the ſoumes of money modified be the ſaid act Bot my right to the ſaid fewdewties was acquired be me at a very deare Rate from William Murray his Maties ſervant in whoes favoures his late Matie hade disponed the ſamen after he hade redeemed the ſaid few dewties and given ſatiſfaction Conforme to the ſaid act of Parliat for the ſame to the Duke of Hamiltoun who hade ryt therto as Lord of the erection And I was induced to purchaſe at ſo heighe a rate the foirſaid ryt beeing confident that his Matie & the Eſtates of Parliament wha ar the fountaine of all right will grant ane valid and vnquestionable right, Lykas his Matie having given the ſaid Right The Estates of Parliament be ther act the 27 of July 1644 hes not only ratified the infeftment granted to the ſaid William Murray & vpon his reſignation the charter & infeftment granted to me of the ſamen But alſo dissolved the foirſaid few dewties from his Maties Crown and from all annexation therof and hes disponed the ſamen to me which is alſe good and vndoubtit ane right as can be conceaved for ſecuring ane ſubject Wheras others wha pretends right to the few dewties of kirklands ar not in the lyk condition but hes right ather from the foirſaid reſervation or from his Matie allenarlie after the act of annexation without any ratificaõun or dissolution be the Eſtates of Parliament Seeoundlie I can not be ordained to dispon my ſaid right to the vasselles of the ſaid lop for any ſoume as beeing lyable to accept the lyk ſoume from his Matie for redemptiõ therof Becauſe I am not in the caſe of others wha have right to the fewdewties of the ſaid kirklands be the reſervation foirſaid as ſaid is Nather am I lyable be my ryt to receave any ſoumes of money from his Matie for redemption therof And the ſaids vaſſelles can not clame to be in ane better caſe nor his Matie And therfor as I could not be compelled to dispon my right to his Matie ffar les can I be lyable to diſpon the ſamen to them haveing ane vndoubtit and irredemable right, both be my infeftments vnder the great ſeill & the foirſaid act of Parliament Speciallie ſeeing the ſaids vaſſelles can have no prejudice & it does not import to them being lyable in payment of the few dewties whither thay pay to his Matie or to me haveing vndoubtit right therto as ſaid is In respect wherof if the ſaid act of Parliament ſhould paſs the ſamen ought to bear ane reſervation & exception of my ſaid right to the few dewties of the ſaid lop / & your lo / anfr

Vltimo feb. 1649

The barrones haveing red & conſiderit the ſupplicaõne abonemenõnat they in thair opinione ffindis the deſyre thairof reſſonabill and that thair be ane expres exceptione and reſervaõne frome the act of the ſupplicantꝭ infeftment and richtis of the abacie of aberbrothok

8. Marche 1649

The Eſteatꝭ of plat ordainꝭ the ſupplicant to be exceptit out of the act of erectiones for the reaſonꝭ ꝓteinit in the ſd ſupplicaõne qk ar ordained to be inſrt in the act]

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VIII MARTII.

ACT in favours of the Vaſſals of Kirk-lands.

165 THE Eſtates of Parliament now preſently conveened in the ſecond Seſsion of the ſecond Triennall Parliament, by vertue of an Act of the Committee of Eſtates who had power and Authority from the laſt Parliament for conveening of the Parliament, Do hereby ratifie and approve all and whatſomever Acts of Parliament formerly made anent the Superiorities of Kirk-lands, Declaring the ſame to pertain to his Majeſtie and his Succeſſors, or annexing the ſame to his Highneſs Crown; Declaring the haill caſualities of the ſaids Superiorities not diſponed before the 17. of January 1627. with the haill Few-mails, Few-ſerms and others Rents of the ſaids Superiorities ſenſyne to belong to his Majeſtie, reſerving always to the Lords and Titulars of Erection, mentioned in the 14. Act of his Majeſties firſt Parliament, the Few-mails and Few-fermes until they be ſatisfied in manner therein contained, and without prejudice to them of whatſomever Lands and others belonging to them in property, in manner mentioned in the ſaid Act, And farther, the ſaids Eſtates of new Declares the foreſaids Superiorities of all and whatſomever Kirk-lands, Milnes, Woods, Fiſhings and haill pertinents of the ſame, pertaining of before, To whatſomever Archbiſhops, Biſhops, Pryors, Prioreſſes, Preceptors, and whatſomever other benefices of whatſomever other eſtate, degree, title or deſignation they be of, erected or not erected in temporall Lordſhips, Baronies and Livings to pertain to his Majeſtie and his Highneſs Crown, therewith to remain in all time coming, and by thir preſents, Caſſes and Annulls the Reſervation mentioned in the foreſaid Act of the Superiorities of the Lands and others pertaining to the Archbiſhops, Biſhops, and the Chapters for the time, And alſo declares all and whatſomever, Grants, Rights, or Infeftments of any of the ſaids Superiorities, with all Warrants, Taks, Commiſsions, Bailiaries or Deputations for entring of Vaſſalls thereto made and granted by his Majeſtie in any time by-gone, ſince the ſurrender in Anno 1627. or to be made in time coming with all other gifts and donations of the ſaids Few-duties formerly belonging to the ſaids Lords of erection, And made by his Majeſtie after the ſurrender, and before the redemption thereof from the ſaids Lords and all Heretable and irredeemable Rights granted by his Majeſtie after the Redemption whereby the profits, caſualities, and emoluments of the ſuperiority of the ſaids Kirklands may be conferred to any other perſon, except the proper Vaſſals thereof directly or indirectly of whatſomever name, title or deſignation they be of, and all gifts of new Regalities or Juriſdictions to be Null, by way of exception or reply, Reſerving alwayes to theſe perſons who have right to the Few-duties, their right and title thereto, while the ſame be redeemed from them, either by his Majeſtie, or the Vaſſals in manner after ſpecified. And diſcharges the Treaſurer-principall, and Depute-Commiſſioners of the Treaſury, and remanent Lords of Exchequer, Writers to, and Keepers of the Seals from all paſſing and expeding of any ſuch new Grants, Rights, Infeftments, Taks, Warrants, Commiſſions, Baylliaries, or Deputations for entring of Vaſſals, Excepting allanerly ſuch Infeftments and Signators, as ſhall be granted by the Lords and others who had formerly right to the ſaids Erections, and Superiorities, whereby they may have right to claime the Few-ſerms and Few-duties adebted by the Vaſſals and others ſubject in payment thereof allanerly, Ay and while they be ſatisfied therefore in manner forſaid conforme to the reſervation conteined In the ſaid act In anno 1627 Reſervand alſe to them thair awne propertie of lands ry^t^ or Juriſdictions In manner ſpecified in the 14. Act of his Majeſties ſaid firſt Parliament, Excepting alwayes herefrom the Duke of Lenox, his right of the ſuperiority of the Barronie of Glaſgow conform to the foreſaid Act, excepting likewiſe herefrom all mortifications and lands therein contained, to Univerſities, Colledges, Schooles, Hoſpitals, and other pious uſes; And ſiclike all and whatſomever dotations or mortifications, and lands therein contained, pertaining to his Majeſties Royall Burrows in manner contained in the 33. Act of his Majeſties Parliament, in March 1647. And all other Rights of Superiorities of Kirk-lands, and others foreſaids acquired, and pertaining to the Burrows Royall, or to their Colledges, Schooles and Hoſpitals preceding the day and date hereof, and what they ſhall acquire hereafter, excepting alſo from this preſent Act, In the like manner and form as is excepted, for the Burrows in the foreſaid Act, 1647. The Rights of the lands of Larg and Kincarden, and ſeventeen Akers of land lying about the Burgh of Culros with the Few-fermes thereof, and ſuperiorities therein ſpecified, pertaining to Mr. Alexander Colvil Profeſſor of Divinity in the new Colledge of St. Andrews conform to the Infeftments and Rights made to him and his Predeceſſours thereof, excepting likewiſe the Signator granted to the Earl of Eglingtoun, and the Lord Montgomerie of the Abbacie of Kilwining, with the Declaration, and Conform to the Tenour of the ſaid 33. Act of his Majeſties Parliament upon the 24. of March, 1647. Excepting likewiſe from this preſent Act, the Infeftment and Right of the Few-duties of the Abbacie of Aberbrothock granted to Patrick Earl of Panmure, in reſpect he hath not right to the Few-duties of the ſaid Lordſhip by vertue of his Majeſtie of worthy memory his Decreet Arbitrall and reſervation contained in the ſame, as likeways in the Act of Parliament 1633. But his right to the

ſaids Few-duties were acquired by him at a very dear rate from Will. Murray his Majeſties ſervant who had right from ~~the Duke of Hamiltoun~~ his Matie as Lord of the erectioun. Likeas the ſaid William Murray his Infeftment and the Charters and Infeftments upon his reſignation granted to the ſaid Patrick Earl of Panmure are not onely ratified, but alſo the Few-duties are diſſolved from his Majeſties Crown, and from all annexation thereof, conform to an Act of the date the 27. of July 1644. And the ſaid Patrick Earl of Panmure cannot be Ordained to diſpone his right to the Vaſſals of the ſaid Lordſhip, for any ſum as being liable to accept the like ſum from his Majeſtie for Redemption thereof, becauſe he hath not right to the foreſaids Few-duties by the reſervation foreſaid, neither is he liable by his right to receive any ſums of money from his Majeſtie for redemption thereof, And the ſaids Vaſſals cannot crave to be in a better caſe nor his Majeſtie, for the whilk cauſe the exception foreſaid is granted as ſaid is: And by thir preſents annuls, that clauſe whereby the Eſtates did then remit all by-gone rights and Infeftments, Warrants, Commiſsions, and others therein mentioned of the Superiorities of Kirk-lands already paſt ſince the year 1633, To the deciſion of the Lords of Seſsion, And farther, the Eſtates of Parliament Decerns and Ordains the ſaids Lords of Erection, and others in whoſe hands the ſaids Few-mails and Few-duties remains, untill they be redeemed by his Majeſtie, to accept the ſame ſums from the Vaſſals themſelves, whilk they are liable and bound to accept from his Majeſtie for Redemption thereof, And to diſpone all right and title they have to the ſaid Few-ferms, Few-mails, and caſualities and Few-duties of the ſaids Superiorities, And denud themſelves of the ſame within fourty dayes after they ſhall be required thereto; And in caſe of refuſall by the ſaids Lords and Titulars of Kirk-lands the ſums of money whereupon the ſaids Few-mails, and Few-duties are redeemable, ſhall be offered and conſigned in the Dean of Guilds hands in Edinburgh, upon the perill of the conſigner for redemption thereof, whereby the ſaids proprietars may be in the ſame caſe, anent the right and poſſeſsion of the ſaids Few-fermes and Few-duties, as the ſaids Lords and Titulars of Kirklands now are, reſerving alwayes the right to his Majeſtie to redeem the ſame upon the ſaids ſums, conform to the Act of Parliament: And it is hereby declared, that the Vaſſals ſhall have the benefit of this Act, they paying yearly to his Majeſtie one fift part more of his Few-dutie nor his preſent Few-dutie is, And alſo after retention of the ſame Few-dutie by the ſpace of fifteen years (the Vaſſall in the mean time making payment to his Majeſtie of the fifth part foreſaid) That the Few-dutie foreſaid ſhall be declared to be lawfully redeemed thereby by his Majeſtie, without payment of any ſums of money; And his Majeſtie in all time thereafter, to have the full right to the Few-dutie foreſaid, and fifth part abovewritten. It is likeways declared that the Vaſſals of Archbiſhops, Biſhops, Priors and Prioreſſes, Preceptories and other benefices of whatſomever eſtate or degree, title or deſignation they be of, and are not erected in Temporall Lordſhips, whoſe Few-duties have been given and diſponed by his Majeſtie by gift or other right to any perſons by whatſomever manner of right ſhall have the ſame benefit of redeeming their foreſaids Few-duties from the ſaid Perſons having right thereto by payment to them or conſigning as aforeſaid in caſe of their refuſall the like years purchaſe as is above-ſpecified, whilk ſhall be always redeemable again from, and expire to them in favours of his Majeſtie in the ſame manner as is above expreſt: And it is hereby Ordained that the Heritors, who gets the benefit of buying of his Few-dutie from the Lords of Erection, or others having right thereto, ſhall relieve him of the Blenſh-dutie payed by him to the King, And of the contribution payable to the Colledge of Juſtice and that proportionally, And Declares and Ordains the Lords of Counſell and Seſsion or his Majeſties Commiſsioners of Theſaurie and Lords of Exchequer at the option of the purſuers, to be Judges Competent to all citations and actions to be intended at the inſtance of any of the ſaids Vaſſals, after the offer and conſignation above-mentioned; againſt the ſaids Lords and others Titulars, for denuding them of the ſaids Few-mails and Few-duties, And for ſecuring of the ſaids Vaſſalls thereintill, And in the mean time Ordains the ſaids Lords of Erection and Titulars of Kirk-lands to accept the ſame or like prices for the ſaids Few-fermes and Few-mails from the ſaids Vaſſalls, as are or ſhall be Ordained and modified by the ſaids Commiſsioners of Exchequer, to be payed for his Majeſties other Rents of the like kinde, And becauſe the benefit of this preſent Act will be of no effect to ſuch Vaſſalls as have ſmall and mean proportions of Lands, in reſpect they are not able to bear the expenſe of paſſing their Infeftments through the ſeals, For remede whereof the ſaids Eſtates Statute and Ordain, That the Infeftments of all Tenents and proportions of the ſaid Kirk-lands, not exceeding the yearly Rent of three hundred Merks, ſhall paſſe and be expede by the Exchequer and great ſeal per ſaltum without any neceſsity of the other ſeals, And Ordains the precept of ſeizing to be contained in the Infeftment, And Declares the ſame ſo paſſed to be as valid as if they had paſt the ſame through the hail Seals; And the Eſtates declares that he in whoſe hands the ſaid infeftments is paſt, ſhall be only lyable in payment of the ſum of four pounds for parchment to write the ſame on, and wax for the ſeal, and four merks for writing the ſame Infeftment, whilk ſum of ten merks is likewayes declared to be ſufficient for the price of the Brieve, Retour, and precept granted in favours of any of the ſaids Vaſſalls at the time of their entring

Heirs to their predeceſſors, And their ſhall be onely one Brief, Retour, and precept of Heirs Portioners, whilk is to be given out and expede for the like ſum allanerly; And the ſaids Eſtates Ordaines the compoſitions of the Infeftments foreſaids of the ſaids mean Vaſſals, to be paſt gratis by the Lords of Exchequer, and to be written out and paſt the great Seal within ſix dayes after the giving in thereof, to the director of the Chancellary and if the ſame be not expede by writing thereof, and appending the Seal to the ſame within the ſpace foreſaid, that the writer to, or appendar of the great Seale, in whoſe default the failzie is, ſhall content and pay an yeers rent of the lands contained in the Infeftment, craved to be expede, the one half thereof to be payed to the party in whoſe favours the infeftment is granted, and the other halfe to the Exchequer for his Majeſties uſe. And ſicklike the ſaid Eſtates Decernes and Ordaines that all Vaſſalls of the ſaids Kirk-lands, whoſe Tenements being Houſe, Yards, Ruids, or Akers of Land, not exceeding twelve Akers, the ſame being within Regality, or Burgh of Barronie, or of Regality; ſhall have liberty to expede their Infeftments by the Baylies of the ſaid Regalities and Burghs reſpectivè, who ſhall be obliged to make compt and payment in the Exchequer for the Few-duties and Caſualities belonging to his Majeſty forth of the ſaids Tenements, and ſhall receive the ſaids Vaſſals gratis.

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166 ACT in favours of the Town of Edinburgh, anent the Impoſition upon Wine, Strongwaters, and Tobacco.

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COMMISSION for revaluation of the Sheriffdom of Eaſt-Lothian and others.

167 THE Eſtatts of Parliat now pũtlie conveined &c Nominatts and appoints The Laird of wauchton the Laird of ormeſton The Laird of elvingſtoune The Laird of barfuird The Laird of Craig The Laird of keyth Mr Joe butler of blanß Thomas turnbull of ſcaitſbuß and maiſt Joe Pringill of woodheid Perſons given In and condiſcendit vpon be the Laird of ormiſton and keyth Commiſſionars for the ſhirreffdome of eiſt Louthian for revaluation and rectifieing of the valuation of the ſaid ſhyre both of caſuall and conſtant rent To be ane cõmittee for that effect To whom or any ffyve of them As the quorum THE Eſtatts of Parliament be thir pũtis Grants power To revalue and rectifie The valuation of the ſd whole ſhirreffdome of Eiſt louthian And To make the ſamen equall and proportionall ffor all according to the rent and dewtie both conſtant and caſuall ffor the qlk maintenance hes beine Is or ſould be payed To the effect That none may be vndervalued or overvalued In the ſaid ſchyre Bot That everie one may beare burden and pay the maintenance and vther publick deuties In ane equall and proportionable way AND THE ESTATTS of Parliat declairis That the forſaid valuation or rectifieing of the former valuation ſalbe alwayis without prejudice and diminution to the publicke Anent the quantitie & payt of the monethlie maintenance and vther publick dews of that ſhyre With power to them to choiſe thair awne clerk and vthers officers & members of court And to appoint ſic tymes & places of meitting as they ſall think ffitting And ordainis lres of horneing to be direct at the Inſtance of any of the heritors of the ſaid ſchyre quha ſall crave the ſamen aganis the fforſaids cõmiſſionars one ſaxe dayis charge onlie

8. Martij 1649

Red votted & approvin in pliat & ordainis ꝑmiſſions to be geivin out be fr wa Scott to ſick ſchyres as creaves ꝑforme to the act the 3. of Marche inſtant

LOUDOUN . Canrius

I. P. D. P.

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PROTESTATION Earl of Abercorn againſt the Act made in favours of the Vaſſals of Kirklands.

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WARRAND to the Lord Chancellour and Director of the Chancellary, anent Colonel Scot his Paſs. 168

[SUPPLICATION of Colonell Walter Scott.

VNTO the honou Lordes & vtherſ of this pñt parliament The humble ſupplicatione of Colonell Walter Scott

Humblie ſchoweth.

THAT whearas the eſtaites of Parliament of this kingdome halden in anno 1648. Haueing taken to ther ſerious conſideratione the many good and thankfull ſrvices done to them by the ſaid Colonell Walter Scott thes nyne ȝeires bygaine In the armies both within and without this kingdome anſrable to the truſt þof did be ther act of the dait the nynt of June 1648. not only ratifie and approve his haill cariage and behaviour in the ſaidis imploymentes Bot alſo knowing of his intentione to goe furth of this kingdome to forraine nationes vpoun his humble ſupplicatione did grant vnto him frie libertie aither to goe furth of this realme or to remayne within the ſame as he thought moſt expedient As the ſaid act heirwith producit mor fullie proportes And ſieing the ſaid Colonell Walter Scott

is defyreous to haue the forſaid act roborat with his Maties great ſeall of this kingdome to the effect the ſamyne may haue greater faith ⁊ ſplendor abroad among ſtraingeris if it ſall happine him heirefter to goe out of this realme HEIRFOR he humblie craves that yor ll / wald be pleaſed to give warrand to the Director of his Maties Chancellarie to wryt his ſaid paſ in the maiſt ample forme to the great ſeall And to the lord Chancellar for appending the ſaid great ſeall þ^to without paſſing any vther^t ſealles or reg̃es And yor ll / anſ^r.

8 marche 1649

The Eſtaittes of par^t Grantis the defyre of the ſupplica^oun abonewrettin

LOUDOUN · Can^rius
I. P. D. P.]

. . . . . .

169 ACT in favours of Alexander Forbes and Alexander Brodie.

[SUPPLICA^OUN of Alex^r Forbes and Alex^r Brodie

VNTO the hon^ō and heighe court of parliament The humble ſuppliea^oun of Alexander forbes of auchintowll and Alexander Brodie of Letheine,

Scheweth

THAT whair I the ſaid alexander fforbes obteanit law^llie appryſeit frae alexander dumbar of kilboyak his Town and landis of over and nether blairis, mark caſſie, Raffert, cuthilheid, grangrie, kilboyak, tulloche, and certane vther landis mylnes and pertinentis thairof for payment of þe ſowmes of money prin^ll ānwellis expenſſ and ſ^treffie mentiōat In the appryſeing led and deducit thair anent within the Tolbuith of Ed^r vpone the firſt day of November 1632 Qlk was ſein and approvine be the Lordis of ſeſſioun vpone the day of The ſd ȝeir and ꝓforme thairto and to the chairtor and Infeſtment following thairvpone I was herēlie Infeft in the ſaid^t landis and vtheres foirſdis Lykeas I having diſponit to the ſaid alex^r Brodie of lethyne and his aires and aſſ^is herēlie The foirſdis landis of kilboyak and nether rowis and maid him ceſſioner and aſſigney to the ſaid appryſeing ſwa far as mey be extendit þ^to I delyverit to him the ſaid appryſeing and Infeftmentis following thair vpone Q^lk being in his hous of kinloſe The ſamyen with all his vther ewidents war plundred and takin away from him out of þe ſaid hows of kinloſe as was cleiret befoir the parlia^t In ān^o J^m vj^c^ ffourtie ſevine ȝeires And befoir the Cōmittee of Eſtates rex̃ue In maner ſp̃eit in the actis maid thairvpone And Inreſpect the ſd appryſing is a neceſſ^r ewident that concernes us both the ſaid Alex^r fforbes and the ſaid Alex^r Brodie for our ſecuretie of the ſaid^t landis and vtheres ꝓtenit thairin And þ^t þe ſamyen was formerlie allowit and approven be ȝour lo / In maner ſp̃eit In the record maid thairvpone be vmq^ll Mr Jo^n Skeene clerk to the billis And that we have a Juſt double of þe ſaid appryſing ſub^t both be the meſſ^r as Judge and be the no^r that was clerk thairto HEIRFOIR beſeek ȝour lo / To give warrand to Mr George Gibſone wha is now clerk to the billis To inſ^rt on the back of þe ſd double of the ſaid appryſeing The former allowance and appro-ba^oun extractit furth of the buikis of recordis maid thairvpone of that ſamyen dait tenno^r and ꝓtentis And to exped and ſubſcryve the ſamyen In ꝓmun^i forma And ȝour Lo / anſ^r

Ed^r 8 marche 1649

The Eſtaittes of par^t Grantis The defyre of the ſupplica^oun within wrettin

LOUDOUN · Can^rius.
I. P. D. P.]

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ACT prorogating the diets of the Commiſ- 170
ſioners, and their Sub-committee for visitation of the University of St Andrews

AT Ed^r the 8th of March 1649 It being represented to the Parl^t by some of the Commiſſ^rs of the Visitation of the University of St Andrews that they at their last sitting have appointed a meeting of a Subcommittee of their Number to meet at St Andrews the fourteenth day of March inſtant and the whole Commiſſion to meet here at Ed^r the 15th day of Aprile next, and that since their Appointment of the forsaid Dyet sundrie Perſons entrusted both in the Subcommittee and Commiſſion are to be neceſsarly abſent in publick Imployments, so that they cannot conveniently attend and keep the forsaids Dyets, THEREFORE The Estates of Parl^t have thought fit to prorogat the Dyet of the Subcommittee, and all matters referred therto till the last wednesday of May next at St Andrews, and the Dyet of the Commiſſion and all matters referred thereto to the second wednesday of June next at Ed^r, and by thir presents ORDAINS the whole members of the subcommittee and Commiſſion, and all others whom it Concerns, to keep the respective Dyets at the places above specified.

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IX MARTII.

ACT aboliſhing the Patronages of Kirks.

THE Eſtates of Parliament being ſenſible of the 171
great obligation that layes upon them by the Nationall Covenant, and by the Solemn League and Covenant, and by many deliverances and mercies

from God, And by the late ſolemn engagement unto duties, To preſerve the Doctrine, and maintain and vindicate the Liberties of the Kirk of Scotland, and to advance the Work of Reformation therein, to the utmoſt of their power; And conſidering that Patronages, and Preſentations of Kirks, is an evill and bondage, under which the Lords people and Miniſters of this land have long groaned, and that it hath no warrant in Gods word, but is founded onely on the Canon law, and is a cuſtome meerly Popiſh, and brought into the Kirk in time of ignorance and ſuperſtition, And that the ſame is contrary to the ſecond book of Diſcipline, in which upon ſolid and good ground, it is reckoned among abuſes that are defired to be reformed, and unto ſeverall Acts of Generall Aſſemblies, And that it is prejudiciall to the liberty of the people, and planting of Kirks, and unto the free calling and entrie of Miniſters unto their charge. And the ſaids Eſtates being willing and deſirous to promove and advance the Reformation foreſaid, That everie thing in the houſe of God may be ordered according to his Word and Commandement, Doe therefore from the ſenſe of the former obligations, and upon the former grounds aud reaſons diſcharge for ever hereafter, All Patronages and Preſentations of Kirks, whither belonging to the King or to any Laick Patrone, Presbytries or others within this Kingdome, as being unlawfull and unwarrantable by Gods Word, and contrary to the Doctrine and Liberties of this Kirk; And doe repeal, reſcind, make voyd, and annull all gifts and rights granted thereanent, And all former Acts made in Parliament, or in any inferiour Judicatory in favours of any Patrone or Patrones whatſoever, So farre as the ſame doth or may relate unto the Preſentation of Kirks, And doth ſtatute and ordain that no perſon or perſons whatſomever ſhall at any time hereafter take upon them under pretext of any Title, Infeftment, Act of Parliament, Poſſeſſion, or Warrant whatſoever, which are hereby repealed, to give Subſcrive, or Seal any Preſentation to any Kirk within this Kingdom: And Diſcharges the paſſing of any infeftments hereafter bearing a right to Patronages to be granted in favours of theſe for whom the Infeftments are preſented; And that no perſon or perſons ſhall either in the behalfe of themſelves or others, procure, receive, or make uſe of any Preſentation to any Kirk within this Kingdome: And it is farther Declared and Ordained that if any Preſentation ſhall hereafter be given, procured, or received, that the ſame is null and of no effect, and that it is lawfull for Presbytries to reject the ſame, and to refuſe to admit any to trialls thereupon, and notwithſtanding thereof to proceed to the planting of the Kirk upon the ſute and calling, or with the conſent of the congregation, on whom none is to be obtruded againſt their will. And it is Decerned, ſtatute, and Ordained, That whoſoever hereafter ſhall upon the ſuit and calling of the congregation, after due examination of their literature and converſation, be admitted by the Presbytry unto the exerciſe and function of the miniſtry in any Paroch within this Kingdom, That the ſaid perſon or perſons without a Preſentation, by vertue of their admiſſion, hath ſufficient Right and Title to poſſeſſe and enjoy the Manſe and gleib, and the whole rents, profits and ſtipends, which the Miniſters of that Burgh had formerly poſſeſt and enjoyed, or that hereafter ſhall be modified by the commiſſion for plantation of Kirks; And decerns all Titulars, and Taksmen of Tythes, Heretors, Life-renters, or others ſubject and lyable in payment of Miniſters ſtipends, to make payment of the ſame, Notwithſtanding the Miniſter his want of a Preſentation: And Ordains the Lords of Seſſion and other Judges competent to give out Decreets, & Sentences, Letters conform, Horning Inhibition, & all others Executorials upon the ſaid admiſſion of Miniſters by Presbytries, as they were formerly in uſe to doe upon Collation and Inſtitution following, upon Preſentations from Patrons. Declaring alwayes that where Miniſters are already admitted upon Preſentation, and have obtained Decreets conform thereupon, That the ſaids Decreets and Executorials following thereupon, ſhall be good and valide Rights to the Miniſters for ſuiting and obtaining payment of their ſtipend, And the Preſentation and Decreet conform, obtained before the date hereof, ſhall be a valid ground and right for that effect; Notwithſtanding the annulling of Preſentations by vertue of this preſent Act, And becauſe it is needfull that the juſt and proper intereſt of Congregations and Presbytries in providing of Kirks with Miniſters be clearly determined by the Generall Aſſembly, and what is to be accompted the Congregation having that intereſt; Therefore it is hereby ſeriouſly recommended unto the next Generall Aſſembly, clearly to determine the ſame, and to condiſcend upon a certain ſtanding way for being a ſetled rule therein, for all time comming. And it is hereby provided, declared, and ordained, that the taking away of Patronages and Preſentations off Kirks, ſhall import nor inforce no hurt nor prejudice unto the title and right that any Patrone hath unto the tythes of the Paroch, nor weaken his Infeftment wherein the ſame is contained, But that the ſaid Title, Right, and Infeftment, ſhall in every reſpect (ſo farre as doth concern the Tythes,) be als valid and ſtrong as when Preſentations were in uſe. It is further ſtatute and ordained, that the Tythes of theſe Kirks whereof the Preſentations are hereby aboliſhed, ſhal belong heretably unto the ſaids Patrons, and be ſecured unto them, and inſerted in their Rights and Infeftments in place of the Patronage. Likeas the Eſtates of Parliament declare the ſaid Patrons their Right thereunto to be good and valid, Hereby granting full power to them to poſſeſſe, ſell, annalgie and diſpone the ſame in

manner after ſpecified, as fully and freely as the Miniſter and Patrone might have done before the making of theſe preſents, Excepting alwayes therefrom theſe tythes which the Heretors have had and poſſeſt by vertue of Taks ſet to them by the Miniſters, without any deed or conſent of the Patrones, concerning which it is provided, That the ſaid Tythes at the iſſue and outrunning of the preſent Taks, ſhall belong unto the Heretors reſpectivè, These ſaid Heretors and the Patrons above mentioned, each of them for their intereſt, being alwayes lyable to the payment of the preſent ſtipends to the Miniſters, and to ſuch augmentation and proviſion of new ſtipends to one or more Miniſters, & ſuch as the Parliament or Commiſſion for plantation of Kirks ſhall think fit and appoint, Excepting alſo ſuch Tythes as are and have been poſſeſt, and uplifted by the Miniſter as their proper ſtipends; concerning which, it is hereby declared, that the Miniſter ſhall enjoy the ſame without any Impediment as formerly, it being hereby provided alſo, That this Act ſhall prejudge no perſon of the Right, Title, and Poſſeſſion of their Tythes by Infeftments, Taks, and other lawfull rights acquired by them, and their Predeceſſors and Authors, as Accords of the Law. Likeas the Eſtates of Parliament renew the former Acts granted in favours of Heretors, for valuing, leading, and buying of their Tythes; Hereby ordaining any Patrone, having right to theſe tythes made to them by this Act, and having no right thereunto of before, To accept the value of ſix yeers rents, according to the prices of valued bolls reſpectivè, injoyned and ſet down in the former Acts thereanent, and that for the Heretable right of the ſaids Tythes, and for all title intereſt or claim that the ſaids Patrons can have or pretend thereunto by vertue of this Act.

ACT anent Quarterings.

172 THE Eſtates of Parliament, taking to their conſideration the former great burdens of the Kingdom, in quartering of horſe and foot, whereby the Lieges by abuſe of theſe who were quartered upon them, were made liable both to the quarterings and payment of the monethly Maintenance impoſed upon them: For eſchewing the like thereof in tyme coming, They Statute and Ordain that all the Quarterings of this Kingdom by-gone ſince the firſt of November 1648, And in time coming, during the continuance of this preſent Maintenance, the ſame being Lawfully proven either by Billets or by Witneſſes according to the Act made anent probation of Quarterings before the Committee of War of ilk Shire, or any two of them, who are hereby fully authoriſed for that effect, whilk being cloſed and made, ſhall be a charge upon ilk one of the Regiments, Troops or Companies pro tanto, And a ſufficient Warrant to the party to receive payment or allowance, conform to the eſtabliſhment after the fitting of the ſaid compt and no otherwayes; And it is hereby expreſſie declared, that the ſeverall Heretors and others liable and obliged in payment of monethly Maintenance, Having their quarterings lawfully inſtructed as ſaid is, as well for themſelves as their Tenents, They producing their Tenents aſſignation of their Quarterings to them, Shall have retention and allowance of all the Quarterings reſting, owing, unpaid ſince the ſaid firſt day of November laſt, And in time coming during the continuance of this preſent Maintenance: And alſo it is Statute and Ordained that for the relief of theſe who may be overburdened and exhauſted by quarterings, that theſe perſons and Paroches ſhall have their relief of their quarterings, which exceeds their Maintenance, And that to be payed by the ſeverall Heretors and others of that Shire pro tanto, in ſo far as their Maintenance doth extend to; And in caſe any Shire ſhall be exhauſted and overburdened with quarterings above their Maintenance, In that caſe they ſhall have payment and relief from the General Commiſſar out of their Maintenance, And it is farther Statute and Ordained that what ever Officers of the Army within this Kingdom ſhall not give Billets or Notes for their Quarterings, it being proven that they Quartered in ſuch and ſuch places, and did not leave Billets or Notes for their Quartering, conform to the juſt number quartered by the Officers and Souldiers: And in that caſe, no pay ſhould be given to the ſaids Officers and Souldiers, untill the Notes and Billets be given to the Perſons, Paroches and Shires upon whom they were quartered: It is likewayes Ordained the firſt Tueſday of every moneth, ſhall be appointed at the ordinary place of meeting for making of the Quartering compts within ilk ſhire, and leading the probation as ſaid is: And alſo it is Ordained that the Collector of ilk Shire, Be Ordained either by himſelf or ſome in his name, to be preſent at the ſaids times and places reſpectivè foreſaid.

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ACT anent the maintenance of run-away Souldiours. 173

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DECREET at the inſtance of the Earl of Eglintoun againſt the Earl Glencairn. 174

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175 ACT in favours of the Town of Borrowſtounnes, anent the erection of a new Kirk.

[BILL ffor Erecting the kirk of borrowſtounneß

VNTO the honõll and heighe court of parliament the humble ſupplicatioun of the parochinerꝭ Inhabitantis of the toune ꝛt villadge of Borrowſtouneß

Humblie Scheweth ·

THAT q^r by the good hand and bliſſing of god haveing our kirk now planted w^t a miniſter and being moſt deſyrous that the ſamyne ſould be errected in a kirk be it ſelff According to the lawis and practiq̃ of this kingdome And that it be ſepratted and devydit from the kirk of kinneill q^r of it wes once ane pairt The boundis and Limittis To be one the South Grahames dyk on the northe the ſea on the eaſt Thirlſtaine on the weſt the Caſtill wall Comounlie Callit Capies wall. The neceſſitie and expediencie q^r off hes beine found by our preſbittrie of lynlithgow at þ^r ſeverall viſitatiounes of the ſaid kirk as þ^r book beares And as ſome of the brethrein of the ſaid preſbittrie preſentlie attending the cõmiſſioune of the kirk can teſtifie And ſeeing wee are moſt willing to beare the wholle burding of the Miniſterꝭ ſtipend and Augmentatioune In tyme cumeing alß weill as wee have beine at the expenſß in building of our ſaid kirk and decoreing it with loſtis and pewis And becaus the ãrent of that ſtock q^lk wee have provyded will not extend to Aucht hundreth merkis q^lk wee have promeiſit and obleidgit ourſelues to pay every ȝeir to our Miniſter and his ſucceſſouris in the ſaid chairge HEIRFOIR wee humblie deſyre ane act of Parliament In our favouris for errecting devyding and ſepratteing o^r kirk of borrowſtounneß from the kirk of kinneill as ſaid is and boundit in maner abonewr̃in And Siclyk geving pouer to thoſe q^m wee have Choyſine for aſſiſting of our ſeſſioune in kirk diſcipline According to the act of Parliament Att or ſome wþ^r who ſall be nominat be comoun conſent of toune ꝛt ſeſſioune to ſtent every Indueller in our paroche and thoſe who hes ſeattis in our kirk and houſes in our toune thought they duell not þ^r þ^m ſelfes According to the ſeverall abilities for the making vp of our Miniſters ſtipend every ȝeir till our ſtock increaſe Eſpeciallie ſeeing the ãrent of þ^t ſtock q^lk wee have provydit will not extend to ane competent ſtipend As alſo theſe that are refractorie to ſo good a work and will not geive þ^r proportioune of the ſaid ſtipend may be compellit to beare proportiounable burding with the reſt of our toune and paroch in the ſaid ſtipend And foraſmuch as ſome of the money q^lk wee have dedicatted for þ^t vſe is laid vpoune land wee deſyre that the ſamyne or ony wþ^r ſowmes q^lk wee ſall acquyre and provyde for that vſe heireſter may be exeimed from quarterings monethlie menteinence ꝛt wþ^r cõmoun burdingis leiſt any pt of our Miniſterꝭ ſtipend be diminiſhed þ^r by All wch wee Confidentlie expect from ȝo^r Lo^ps / goodnes and Juſtice this ſo good and piouſe a work haveing bein retarded and obſtructed this long tyme And that now the Lord hes putt pouer in ȝo^r Lo^ps / hands ꝛt willingneß in our heartis To doe every thing that may tend to the perfytting of it And ȝo^r Lo^ps Anß^r wee humblie expect

9 marche 1649

The Eſtaittes of par^t Grantis The deſyre of the ſupplica^cun abone wrettin Sua far as concernis the erecting of the kirk and ſtenting of the parochineris And ordaines lr̃es to be direct Iff neid beis

LOUDOUN · Can^tr^ius

I P D P]

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ACT in favours of the Laird of Lawers. 176

[REPORT of the Cõmittee appointed for the Laird of Lawers ſupplication

THEY find the Bill inſtructed, by production of the actes and papers mentioned þ^r in, w^r by it appeares evidently that there is due to Lawers for the Tuo part of his arreares for his ſervice in the Kingdome of Scotland the ſũme of fourſcore eighteine thowſand pounds ſcotts. Item for his loſſe ſuſtained through burning ꝛt waiſting fourſcore ſexteene thowſand, eight hundreth, fyftie fyve pound eight ſhillings, which loſſes are ſeene ꝛt approven by the Cõmittee of Parl^t / in ãno 1646. Item for his ſervice in Ireland Seventeine thowſand fyve hundreth pound ſterling; And in reſpect that the whole former arreares, ꝛt ſũmes of moneyes wer contracted by him, ꝛt are oweing to him for his faithfull ſervice to the Kingdome and in the cauſe, And w^r in his eſtate (unleſſe he be ſpeedelie ſupplied) is altogether ruined, And that he ſealed this affection, ꝛt fidelitie to the caus by the loſſe of his lyfe. And in reguard that the great ſũmes oweing to him for the ſervice of Ireland, And the ſũme aſſigned to him for his loſſes to be payed by the Parl^t / of Engl. are ineffectuall ꝛt deſperat. It is the humble opinion of the Committee That the Eſtates of Parl^t / ought in Conſcience, and Juſtice to make payment to him of the aforeſd ſũme of fourſcore eighteene thowſand pound ſcottiſh due to him as his arreares for his ſervice in this Kingdome, w^r of they think payment ſhould be made pñtly of the ſũme of fourtie thowſand Merkes Conforme to the precept given of before by the Parl^t / ãno 1647. and renued againe ãno 1648. And in reguard of his urgent neceſſitie, ꝛt long lying out of the ſũme aforeſaid, The opinion of the Cõmittee is that Twentie thowſand Merkes farder be payed to him pñtly out of the firſt end of his foreſd arreares

due for his ſervice in this Kingdome extending to the ſūme of fourſcore eighteene thowſand pound And for the remainder of the ſaid ſūme, extending to fyftie eight thowſand pound, It is the opinion of the Cōmittee that the publict ſurety of the Kingdome be given to him, and the ārent þof payed dureing the forebeareance of the priñll ſūme without which he cannot ſubſiſt

AND for rendering ſpeedy payment of the foreſd ſūme of fourtie thowſand pounds more effectuall, It is the Judgement of the Cōmittee that precepts be drawne, & aſſignements be made to him of any bygone maintenance, taxt, loane, fynes and Contravenſions reſting oweing preceeding October 1648. Or any other publict dues oweing to the publict. And in reſpect there be dyverſe perſones who have not lent any money to the publict in the tyme of the Troubles, & diſtreſſes of this Kingdome, who may doe it better then many who have lent, And that lykewayes dyverſe of them who have not lent, have beene for the late engagement, And that it is more agreable to equity & Juſtice, that they lend as others have done, rather then that ſuch as have beene faithfull, conſtant, & Active for the Caus ſhould be totallie ruined for not payment of what is oweing to them by the publict for their ſervice, & loſſes in the caus The Cōmittee doth þfore offer as a further expedient, that ſuch perſones (according to a particular liſt to be given in) be ordained to lend not exceeding the halff of a yeares rent, upon the publict faith, And that they have the lyke bond for their ſecurity as hath beene given to others from whome money was borrowed And that out of the firſt, & readieſt of the ſaid moneyes to be borrowed, payment be made to the Laird of Lawers of the aforeſaid ſūme, And that this way of borrowing be no further extended then onely to the ſūme of After wch the ſame is declaired to ceaſe and be diſcharged. And the Cōmittee doth further offer as an expedient that a Tack be ſett pñtly to begine after the expyreing of Sr William Dicks tack of the excyſe of wynes for the ſpace of Three or fyve yeares, And that out of what ean be hade from the Tackiſmen by way of advance or for the Tack duty, payment be made to him of the ſūme of fourtie thowſ. and pounds out of the firſt end þof, And the ſuperplus to be imployed as the Parlt ſ ſhall think fitt

EGLINTOUN
I P D Com.

2 Martii 1649

This remitted efter reiding to the ſeverall bodyes and ordanes the comittee to qm this wes formerlie recomendit to give in a liſt of ſuche pſones who have not lent moneyes to the ſdt bodyes, and the comiſſionerſ of the ſhyrſ to be aſſiſting þin to the ſdt bodyes & the report to be broght bak from the bodyes on monday & reported to the pliament

9 of marche 1649

The Eſtaittes of part approves the repoirt And declaires that quhat the ſupplicant gettis not of the ſowme foirſaid Be vertew of the meines and way ſett doun In the repoirt That the ſamyne ſall be payeit out of the tak to be ſett to the marqueis of argyle of the excyſe of the wynes & cc And Ilk ane of thame to pay ane equall halff þof And declaires the reſt of the debt awand to the ſupplicant to be ane publict debt

LOUDOUN · Canrius
I. P. D. P.]

. . . . . .

ACT anent the Liſt and Roill of the Laird of Laweris his perſones names fra whome moneyis ar to be borrowed

AT EDINBURGH The Nynt day of Marche 177
The geir of god Jm vjc ffourtie Nyne geires THE qlk day thair was preſentit and producit In face of parliament In name and behalff of Collonell James campbell ſone to vmqll Collonell Sr mungo campbell of Laweris Ane particular liſt and roill of perſones fra qm moneyis ar to be borrowed & fyned þforme to the act of the dait the [ſeventh] day of [Marche] Quhilk Liſt and roill of þe foirnamet perſones THE eſtaitis of parliament haveing hard red They ordane the ſamen to be ſubt be the lo / Chanr & have remitted the ſamyn to þe cōmittie to be appoyntit for borrowet moneyis & cc Quhome they ordaine to give out preceptis ffor wairneing of þe foirnamet perſones To compeir befoir thame to ane certane day To Heir & ſie þame ordainet be ſentence of þe ſaid cōmittie ſuch of thame as they ſall find lyable Conforme to ane act of this parliament anent perſones frae quhome money is to be borrowet and ar to be fyned of þe dait the [ſeventh] day of [Marche] And þe ſaidſ eſtaitis declaires that what ſall be gottin of þe perſones foirſaidſ borrowing or fyning That the ane halff of þe ſamyn ſall appertean to þe publict And appoyntis that pairt þof to be payet to Sr James ſtewart generall cōmiſſar And þe vther halff of þe ſamyn To be payet to þe ſaid Laird of Laweris In pairt of payt to him of þe ſowme of ffourtie thowſand pundis Scottis appoyntit be þe ſaidis eſtaitis to be payet to him for his preſent ſupplie Conforme to ane act of þe dait of thir pñtis

[THE Laird of Laweris his Roill

The Erle off Sutheſke
The erle of Murray
The erle of Tullibardyne
The erle of Annandaill
The erle of ffinlater
The vicount of dudope
The Lord Cardroſe
The Lord Belheven
The Lord abercrombie

The Lord Halkertoun
The Lord Cochraine
The Lord Drūmond
James Drummond of Machanie
The Laird of Kilor murray
The Laird of adie
The Laird of Garntullie
The Laird of Strathurd ȝounger
mr Johne nairne of muccarſie his brob
The Laird of Balgowne ȝounger
Sir Wm ſteuart of Inuernytie
The Laird of Loncartie chapman
The Laird of Rovmanno ȝounger
Mr Johne malloche of Carny
Robert Grahame of Carny
The Laird of monyvaird
The Laird of Cultoquhey
The Laird of Monȝie
The Laird of Inſtuthill Strachane
Nairne of Craigy
The Laird of drūmelly
The Laird of Gormach
The Laird of Lethindy
James oliphant of Tampennane
The Laird of Inuernethie ȝounger
The Laird of Strowie ȝounger
major Harie drumond of Pitcairns
Johne Rollok of drumondſhall
Col: Sir mungo murray of ethies
mr Ro: meldrum of Tullibody
The Laird of Kippenros pearſone
Sir alexr wedderburne clerk of dundie
The Laird of Balthyock
The Laird of Inchmarteine
The Laird of Ballegarnie
William butter of
Patrick monteith of Gencheill
Grahame of downance
The Laird of Gorthie
walter ſteuart of Keippan
Johne henderſone of Brukſtondorone
drummond of Balloche
mr Jon murray of Cowdone
Henrie ſtirling ſiar of ardoche
Robert gray of Ballone ȝmiſſr
blair of Ballachie
Johne ſteuart of ffinnert
Thomas Mckenȝie of Pluſcardine
mckenȝie of Koull
mckenȝie of Kilcowie
Symon mckenȝie ſumtyme of
Sir Jon mckenȝie of Tarbet
The Lairdes of Innes ȝor and elder
The Laird of Kilraik
The Laird of Cromartie
The Laird of Claverous
Alexander Seatoun of Thornetoun
Sir Johne falconer
William gray ſfref clerk of fforfar
The Laird of omachy
Mr James durhame of Pitkerro
Sir andro fletcher of Inuerpeffer
Robert fleſhour of Ballinſhe
Alexr bowar of Inuerichtie
The Laird of Grainge ȝounger
Sir alexr gibſone of durie
Sir Johne gibſone of pentland
Mr George gibſone of Bonerd
Mr wm hay of aberladie
Sir wm Lockart of Carſtaires
Adam Blair of Lochwood
The Laird of Cumno
The Laird of Lundie in ffyfe
Sir James Lockart of Lie
Ricartoun for dalȝell of Binnes
Alexr Maxwell of dechmont
The Laird of Ardrois
Normand levingſtoun ſumtyme Captaine of the
caſtle of Stirling
The Laird of Lammingtoun
Lieutenant Generall Bailȝie
The Laird of Robertland
Sir Johne dalȝell of newtoun
William Cockburne
Ricartoun Drummond
The Laird of weſtquarter
The Laird of Polmajs
The Laird of Luſe
archibald ſydſerff merd burges of ed
Jon Jouſſie merd burges thair
edward edȝer merd burges þr
wm thomſone of newmylnes
Home of Plendergaiſt
wm lyell of Baſſindene
Jon marjoribankes merd burges of edt
George ſteuart advot
The Laird of Inchſture
The laird of Carſland
Kennedye ſone to ardmillane
The laird off dunduff
The laird off kilkerane
Wm lyvingſtoune In air
The laird off Borland
Alexr Cuninghame Brobr to Robertland
Cap. Rychart Cuninghame
Coll. Alexr Ramſaye Brobr to Balmaine
The laird off Rapploche
The laird off ſilvertounehill
Wallace ſumtym quarter mr to Sr
phredericke hamiltoune
Jhone Ghrame off kraigye In þe mearns
Sr Alexr Carnegye off pittarow
Sr Jhone Carnegye off Craig
The laird off Bonymoone ȝounger
Jhone Robertſoune of Innuar
Mr Gilbert Stewart off Balcack
vryvine off Mucklye
Ane genell citāun for the name off Mckeinȝye
fraſr & munros and vþr þr ar Joinit In þis lait rebel-
lioune iff they be eþr oblichſit to lenne or be fynnit

9 marche 1649

Producit be the laird of laweris and remitted to the comitte to be appoynted for fynes ꝛ borrowit moneyes And quhat fall be gottin fra the perſounes lifted the ane halff Is declarit to appertein to the publict ꝛ the vther halff to the ſupplicant ffor his payᵗ of the ſowme of ffourtie thowſand pundis ſcottis money And that pairt that belongis to the publict ordaines the ſame to be payeit to the generall comiſſᵒʳ and the vther halff to the pairtie

LOUDOUN · Canᵗʳius
I P D P.]

. . . . . .

178 ACT in favours of John Hay of Knockcowdie.

. . . . . .

179 ACT of exemption in favours of the ſaid John Hay.

[SUPPLICAᵒNE of Johne Hay of Knockowdie

TO the Hoñᵗˡ and hie Court of parliament The humble ſupplicaᵒne of Johne hay of knokcoudie

Humblie ſhoweth.

THAT quhair the ſupplicant his haill houſes bigings and cornes being totalie brunt and deſtroyit and his haill beaſtiall driven avay at diuers tymes in the yeirs of god 1645 and 1646 be James grahame the lait marquis of huntlie his ſonnes ꝑᵗ adherents and followers qᵗby he vas brought ſo low as he hes haid nothing for his ſubſiſtance ſince that tyme bot quhat he hes bein neceſſitate to tak vpon credit qᵗanent he did meane himſelf to the cōmitte of eſteats in May 1646 qᵗ he attendit fyue moneths and ꝑfter in martch 1647 he attendit the parliament thrie moneths and maid his deſolate conditione and greivous loſſes appeir to them ſo cleirlie be teſtimonials frae the Cōmittees of warr of the ſhrefdomes of elgin and nairne and preſbitries of elgin and forres and alſo be the report of his greivous loſſes vnder the hands of the Cōmiſſioners appointed by the ſaid cōmitte of eſteats for tryall ꝑof ſufficientlie prouen and approuen that the ſaid cōmitte of eſteats did ordaine ſum ſubſiſtance for the ſupplicant bot notvithſtanding his long attendance qᵗ he hes bein at ane great deall of expenſiꝭ and contractit ane great burding of debt ſicking to procuire qᵗ vas ordained for his ſubſiſtance maid effectuall to him Neuertheles the ſamen hes bein as yit to no effect ſua that his credit qᵗby he hes leivit thir four yeirs bygon is nou almoſt forſtallit and ꝑᵗ remains no more bot that his familie moſt ſterue wnles your Hoꝛ compaſſionat his deplorabill conditione ſince non of his qualitie hes bein more reallie active nor paſſive nor conſtant for the good caus frae the begining Therfor his humble ſupplicaᵒne is that your Hoꝛ mey be pleaſit to take his deplorabill conditione to conſideraᵒne and provyd ſum means hou he mey be ſupplied and he and his familie inabled to ſubſiſt and not ſuffered to ſterue to grant him ane diſcharge of ꝑe 17 moneths manteinance taxt and lone ſieing his land is totalie veaſt and brunt And your Hoꝛ cheritable anſᵗʳ humblie he expects

Edʳ 16 februarij 1649

Red ꝛ remitted to ꝑe comittie of burdeans ꝛ loſſ to be takin in conſideraᵒn be ꝑᵐ ꝛ to report

The comittie remittes ꝑis buſſines to the Laird of Ceſnok ꝛ Thomas Mᶜbirnie to ſpeak wᵗ ꝑe Laird of eight ꝛ brodie

Edʳ the fyft day of March 1649

The comittie of comone burdeans findᵭ ꝑe wᵗinwritin bill ſufficientlie inſtructit be act of parliament ꝛ act of comittie of eſtaites ꝛ ꝑᵗ opinion is ꝑᵗ ꝑe ſowm of Tuo thouſand poundᵭ Scottis may be appoyntit be ꝑe parliament to be payit to the ſupplicant in conſideraᵒn of his great Loſſ ꝛ ꝑñt vrgeing neceſſitie out of ꝑe papeiſtes rentis of ꝑe ſchyres of Aberdein Inuernes ꝛ bamff and ꝑᵗ comiſſion may be gevin to ꝑe laird of eight for collecting of ꝑe ſaids rentis ꝛ to pay ꝑe ſupplicant of ꝑe ſaid ſowm in ꝑe firſt end of his collection, Agreis to the deſyre of his bill anent the diſcharge of bypaſt publict dues in regaird of his notorius and great Loſſ and ꝑis to be allowed in the firſt end of ꝑe ſuſpendit mentinance of the ſchyre wᵗout preiudice to the publict of the payᵗ of ꝑat mentinance qᵘᵉ is not ſuſpendit in the ſchyre

ARBUTHNOᵀ. I. P. D. Coñ.

9 marche 1649

The Eſtaittes of parᵗ recomendis to the excheqʳ to pay the ſupplicant twa thowſand pundis out of the firſt and reddieſt of the papeiſ rentis of the ſchyres of abirdeane bamff and Inuernes And ratefies Eight his comiſſioun for his bygaine Intromiſſioun and renewis the ſamyne till It be recallit But prejudice of Eight his payᵗ of his ſuperexpenſ throw his laſt intromiſſiouñ ꝛ grantis the reſt of the report for the ſupplicantis exemptioun of taxt loan ꝛ 17 monthis mantinance

LOUDOUN Canᵗʳius
I. P. D. P.]

. . . . . .

ACT in favours of the Earl of Sutherland. 180

[REPORT of the Comittee of diſpatches of the Earle of Sutherland his ſupplicaᵒun

14th februarij 1649.

SEDERUNT

The Marques of Argyle — Brodie
The Gñall Leivtennent David leſſie — Alexʳ Jaffray.

IT is the opinion of the ſubcōmittee in conſideration of the ſupplication given in bee the Earle of

Sutherland and vthers for ſome effectuall courſe to bee taken for ſecuring the Peace of the Shyre of Sutherland That for Incouragement and aſſiſtance of theſe who are now in armes in oppoſition to the diſturbers of the peace of that Shyre fyve hundreth bolls of meale bee furthwith ſent to the Earle of Sutherlandꝭ houſe for the vſe of the forſd men and forces to bee ſent thither

THAT thairefter the Parliat may be pleaſed with all convenience to ſend ſome forces fitting for theſe boundꝭ for ſuppreſſing the troublers of the Peace thairof And that at the tyme of the beeing of the ſd forces to bee ſent thair, In caice of neceſſitie ane fort or ſconce may bee builded in ſome convenient place And ane ſufficient garriſon eſtabliſhed ꝑ for oppoſing theſe rebells and keeping the Countrie in order

IT is alſo the opinion of the ſubcōmittee that the Parliat may take ſome courſe for ſupplying of the defect of theſe men that Sr James fraſr ſhould have out of the ſhyre of Sutherland and that the ſd ſhyre may bee liberat ꝑof In regard of ꝑ great trouble and charges in keeping the ſd Countrie in order and oppoſing the troublers of the Peace ꝑof

M ARGYLL I:P:D:Com.

21 feb. 1649.

The Cōmittee of diſpatches having heard and Conſidered the report abonewretten, allowes the ſame.

9 marche 1649

The Eſtaittes of part approves of the firſt article of the repoirt And as to the ſecund article recomendis to the cōmitties of diſpatches or eſtaittes to wryt to levetennent Dauid leſlie ffor ſuppreſſing of the trubles in ſutherland And thairefter Ordaines ane ſconß or fort with ane garieſoun to be put vp thair ..... And as to the thrid the Eſtaittes Liberates The ſchyre of ſutherland of thair proportioun of the levie That Sr James ffriffill ſould haiff had for Inuernes garieſoun And ordaines Ane precept to be drawin vpoun Sr James ſtewart for the firſt article

LOUDOUN · CanRius
I. P. D. P.]

.....

181 ACT in favours of Sir Charles Erskine.

[REPORT of the Committee anent the Supplication of Sir Charles Erſkine

Edr 19 febrii 1649

SUPPLICAOUN Sir Charles Erſkine of Alveth knight and certane vtheres in the ſupplicaun for thameſelffis and in name of the remanent heretoꝭ of the landis of ochillis who will willinglie Joyne with the ſupplicants Craveing libertie to keip ſome conſidderabill number of men vpone the ſaidꝭ landis of Ochillis for gairding ꝑof fra the great hazeard and danger of depredaun done by broken men With power to the ſupplicants to ſtent the heretoꝭ of ſuch landis lyand ꝑr as will Joyne with thame and voluntarlie tak a pairt of the burding for preveining the hazeard and danger In tyme to cum

The humble opinioun of the ꝯmittee is that ꝑe deſyre of the bill is Juſt and moſt reaſonabill And ꝑt ꝑe ſamyen aught to be grantit In as ample forme as hes bein granted befoir The ſupplicants being anßrabill for the cariadge and good behavior of the ſd gaird And ꝑt the ſamyen gaird ſould not exceid the number of Twentie men

J COUPAR I. P. D. Coñ.

9 marche 1649

The Eſtaittes of part approves the repoirt abone wrettin

LOUDOUN · CanRius
I. P. D. P.]

.....

ACT in favours of the Marqueſſe Argyle. 182

[REPORT of the Committee for common burdens and accounts anent the Supplication of the Marquis of Argyle

Edr the third day of March 1649

THE qlk day ꝑe comittie for comon burdeans & accomptꝭ Having takin to ꝑr ꝯſidera°n ane ſupplica°n gevin in to ꝑm be ꝑe Lo / M. of Argyle Schewing That qr his debtis & burdeans ꝯtracted be him for ꝑe publict vſe ar great & preſſing wch he is not able to tak cours wt w'out ſatiſfaction be gevin his Lo / of ꝑe debtis auchtand to him be ꝑe publict ſpeciallie in regaird of his great ſufferings & Loaſes ſuſtenit be him notourlie knawin to all & ꝑfore ſupplicating ꝑt his comptꝭ & deburſmentꝭ may be audited & adiuſted & ſum effectuall cours be fund out for ſatiſfaction to his Lo / of qt ſall be fund dewlie reſtand awand to him be ꝑe publict And Having hard ſein & at lenth ꝯſidderit ꝑe ſd Lo / M / his compts ane ꝑof being of ꝑe money advanced & gevin out be him for ꝑe vſe of ꝑe publict & be publict ordor & warrand / And ꝑe other of ꝑe ſdꝭ accomptꝭ being of ꝑe expedi°nes made be his Lo / aganes ꝑe Iriſh rebellis ꝑe Mcdonaldꝭ & ꝑr adherentꝭ anno 1644 be comiſſion from ꝑe parliament & be publict ordor The ſd comittie finds both ꝑe ſaids accomptꝭ cleirlie & ſufficientlie inſtructit, And ꝑt be ꝑe ſaids accomptꝭ ꝑr is iuſtlie & cleirlie reſtand auchtand be ꝑe publict to ꝑe ſd Lo / M / of Argyle ꝑe ſowm of Ane hundreth fourtie fyve thowſand four hundreth thrie pund 7 ß 2 d wch ſowm ꝑe comittie humblie ꝯceaves aucht to be accompted ane publict debt of ꝑe

kingdome, and þe ſd comittie ꝓſiddering þe ſd Lo / M / his great Loſſ & ſufferings, and þe great debtis & burdeans he does ly vnder for advancement of þe publict as his Lo / hath cleired before þe comittie The ſd comittie in þr humble opinion think it moſt iuſt & reſſonable þt þe eſtaites of parliat grant to þe ſd Lo / M / ane act of parliat obleidging þe eſtaites of þis kingdome to mak payt to þe ſd Lo / M / of Argyle his air executor or aſſignayis of þe ſd ſowm of Ane hundreth fourtie fyve thowſand four hundreth thrie pund 7 ß 2 d ſcotis moe wt þe ãrent of þe ſam duiring þe not payt þrof efter þe tyme of candlemes laſt, ffarder þe ſd comittie repreſent humblie to þe ſd eſtaites of parliat þt in all þe preceiding accompt þr is nothing accomptit or allowed to þe ſd Lo / M / of his Lo / pay as comander in cheiff of þe expedicnes in ſcotland nor as dew to him q he wes in England (thair being dew to him þe pay of a Colonell of hors as preſedent to þe comittie in England & þe pay of a Colonell of futt for his regiment in bervick, nather is þr any ꝓfidera^n allowed for any incident charges his Lo / wes at in any of þe ſaids expedicnes Bot þt þr is ane hundreth punds ſterling payit to Sr Jon ſmith in his Lo / name be Wm thomſon & twentie thowſand merk ſcotis receavit be his Lo / from þe laird of Inchmairtein of generall Ruthvenis money be ordor from þe publict wch ar not comprehendit in þe compt abonewryttin And þrfore þe humble opinion of þe comittie is þt thoiß two ſowms of 20000 Merk and 100 punds ſterling may be allowed to þe Lo / M / in þe firſt end of þe pay incident charges & recompence due to þe ſd Lo / M / as preſedent to þe comittie in England & as Colonell of foot foirſaid for his ſervice in England & ſcotland And remittes to þe parliat qt farder ꝓfidera^n ſall be gevin to þe ſd Lo / M / for his pay & great charges & expenß in þe ſaid expedicnes And for þe ſd Lo / M / his way of payt it is þe humble opinion of þe ſd comittie þt in regaird þai can find no way of preſent payment or ſatiſfaction be reſon of þe pñt burdeans of þe kingdom that þrfore eftir þe expyring of þe tak of þe excyß of þe wynes ſet to Sr Wm dick The ſd excyß may be appoyntit ſo long as þe ſamen continewes for ſatiſfaction of þe ſd Lo / M / till he be compleitlie payit of þe ſowms prin & ãrentis foirſaids

BURGHLY : I : P : D : Com:

3° Martij 1649

Red & remitted to the ſeverall bodies

9 of marche 1649

The Eſtaittes approves of the repoirt except for the borrowit money But prejudice of ane moir expeditious way to be fund out for payt of the vther ſowmes by the borrowit money And as to the tak of the excyſe mentionat in the ſaid repoirt The ſaidis Eſtaittes Ordaines ane tak to be drawin in favor of the lo / marqueis and ſr wm dick equallie betuixt thame of the excyſe of wyne foirſaid and additioun to the ſamyne excyſe And Ordaines the ſaid lord Marqueis and ſr wm dick To mak payt to the laird of Laweris Ilk ane of thame of ane Juſt halff of the ſowmes that ſall be reſtand awand to the Laird of Laweris and q^of he ſall not reſſaue ſatiſfactioun be the borrowit moneyes Conforme to ane act granted to him of the daitt of thir pñtis and this but prejudice of any vther moir effectuall meines for the payt of the ſd lo / marqueis And The ſaid eſtaittes declaires That they will tak ane ſpeciall conſidera^un The way of ſubſiſting of the marqueis of argyle his famelie That the ſamyne ſuffer not for the ſaid marqueis his conſtancie to the good caus And Ordaines ane act to be extendit heirvpoun And The ſd eſtaittes declaires that they will tak as ane effectuall way ffor payt To the ſaid lord marqueis of his borrowit moneyes As for any vther borrowit moneyes within this kingdome

LOUDOUN . Canrius

I P D P]

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ACT in favours of the Town of the Canogate, anent their Miniſters ſtipends.

THE Eſtates of parliãt & c Taking to thair conſiddera^un the ſupplica^un of the baillies, hereto, and nichtbo of the burghe of the Cannogait with the ſpẽall advyſe conſent and concurrence of the lord proveiſt baillies and counſell of the burghe of Ed ſuperio of to the ſupplicants Schewing How ſmall ane conſtant ſtipend doeth belong to the Supplicants Two miniſteres of the kirk of halyruidhous Being onlie to both of thame The ſowme of aughtine hundreth merkis qlk hardlie is ſufficient for ane of thame And conſiddering the eminence of the chairge by reaſoun of the reſort of many perſones and families of cheiff qualitie of the kingdome his Mãties palace alſo being within the ſamyn That in tyme cuming thair may be ane ſufficient maintenance for ſuch ane abill miniſtrie as that place requyres Have with the advyſe and concurrence of the ſaidis magiſtrats of the burghe of Ed wnanimouſlie condiſcendit and aggriet vnto that ilk ane of the two miniſters of the ſaid kirk of halyruidhous and thair ſucceſſo Sall have ȝeirlie in all tyme cuming for thair conſtant ſtipend The ſowme of aughtine hundreth merkis with ane frie hous to ewrie ane of thame for thair manſ And thairfoir the ſaidis ſupplicants with ꝓſent foirſt have reſolvit þt thair be ane ſurvey of þe rentis of þe dwelling houſſ chalmers heighe and laighe buiths and ſellar with the ȝeardis & vþr paying maill within the ſaid parochine of halyruidhous (his Mãties palace being exceptit) That vpone ewrie hundreth merkis ſuche proportioun may be Impoſit as may mak vp the ſowme of Twa Thowſand merkis q^by ewrie ane of þe ſaidis miniſters & þr ſucceſſo may have ȝeirlie The ſowme of Aughtine hundreth merkis

183

and the ſowme of Twa hundreth merkis being for payment of a dwelling howſſe for on of the ſaidis miniſteris the vther miniſter being alredie provydit be the ſaid bur^t to ane hous belonging to the ſaid miniſter and his ſucceſſoris in all tyme cũing Q^lk ſowme is to be collectit be the kirk theſaurer and deacones of the Cannogait As at mair lenth is ꝯtenit in the ſaid ſupplica^oun Q^lk ſupplica^oun abowewr̃in Togidder with ane act of counſell of þe ſaid burghe of þe Cannogaitt producit be ſ^r James Stewart proveiſt of Ed^r In teſtifica^oun of the hereto^r ꝛ and nichtbouris thair ꝯcurrence þ^r to To the haill heidis of þe q^lk act the ſupplica^oun abonewrittin is relative and ſubſcryuit be Jo^n ſtewart thair Clerk being takin in conſiddera^oun be þe eſtates of parlia^t The ſaidis Eſtates Ratifies ⁊ approves the foirſ^d act of þe counſell of þe burghe of þe Cannogait foirſaid In the haill heidis articles ⁊ ꝯditiounes þ^r of Eſt the forme and tenno^r of the ſamyn In all poyntes And Interponis the auc̃tie of parliãt thairto And willis and declairꝛ þ^t þis pñt Ratifica^oun Salbe alſ valid ⁊ ſufficient To the effect þ^r in ꝯtenit as gif þe ſamȳ act war verbatim heirin Inſert Quhairanent the ſaidis Estates of parliãt hes diſpenſed forewer Exceptand onlie þ^r frae the howſſ pertining to ſ^r arthour Erſkine of Scotiſcraig q^lkꝛ are heirby declairit to be frie of the ſaid Impoſitione And þ^r foir the ſaidis Eſtates doe heirby ſtatut ⁊ ordaine That the ſaid ſowme of Twa Thowſand merkis ꝯeirlie be Impoſit and laid vpone the whole rentis ⁊ mailles of the haill dwelling howſſ ꝯeardis chalmers buithes ſellarꝛ and all vtheres howſſ ⁊ c^o heighe ⁊ laich within the ſ^d burghe (The abbay of halyruidhous and S^r arthor Erſkine his houſſ onlie being exceptit) Q^lk Impoſitioun ſalbe payet be the Inhabitants ⁊ poſſeſſores and þ^t without any exemptioun or exceptioun of any houſſ of q^tſum^r holding, or nature they be of perteining to any perſone or perſones of q^tſum^r degre qualitie or place q^tſum^r (excepting as is befoir exceptit) The payment of which Impoſitioun ſalbe t̃melie by advance The firſt t̃mes payment begining at mertimes laſt for the firſt halff ꝯeir and þe nixt t̃me at witſounday thaireft And ſwa furth t̃melie þ^r eft at witſounday and mertimes in winter be equall portiounes and þ^t þe mailles ⁊ rentis of all þe howſſ and vtheres foirſ^dis may be trewlie knawine Thair ſalbe ane exact ſurvey þ^r of maid And gif neid beis the othes of þe Inhabitants takin þ^r vpone And the ſaid Impoſitioune is to be allwayes collectit be the kirk Theſaurer or the deacon of the kirk And is not to come in the handis of the toun counſell nor to be applyet to any vther vſe then is abone writtin And it is declairet that the Impoſitioun foirſ^d Sall nawayes effect the ground right or propertie of þe howſſ tenementis ⁊ vtheres foirſaidis Bot that þe proportiounating and deviſioun of þe ſ^d ſowme of Twa Thowſand merkis be payet be the Inhabitants according to thair mailles Is to be the onlie rewll and ſquair for taxing of þe Inhabitants for payment þ^r of at þe raites of þe mailles payed be thame And is no wayes to affect the ground as is afoirſaid The Tennentis Inhabitants ⁊ poſſeſſores being onlie lyabill to perſonall ⁊ reall executioun for þe ſamyen And it is ordained that when any of þe ſaidis twa miniſters places Sall vaik The ſtipend ſalbe diſpoſit vpone to pious vſes be the ſaid kirk ſeſſioun of halyruidhous

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ACT ordaining the Committees of Warre to ſupply the places of the Juſtice of Peace. 184

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X MARTII.

ACT anent the filling of vacand places.

THE Eſtates of Parliament taking to their conſideration, That ſundry Officers of Eſtate, and Lords of the Seſſion and others perſons in places which before uſed to be filled by the King and Parliament, are or will be deſervedly deprived for the faults contained in the Act of Claſſes of the 23. January laſt, And that there will ariſe manifold inconveniencies both to the King and to the Kingdom by the long vacance of theſe places and delay of Juſtice, And that the Kings Majeſtie who now is, before he come to the exerciſe of his Royall power, is to give the ſatisfaction deſired by this Kirk and Kingdom: Likeas in the propoſitions of both Kingdoms often paſt in the Parliament of this Kingdom, it was the judgement and deſire of the Parliament, That theſe Places during theſe troubles ſhould be filled by the Parliament, And that in the late Summonds and Sentences, It is Declared, that theſe places ſhould be filled by this Parliament, Therefore they Declare, that they finde themſelves bound in duty, preſently to fill the ſaids Places with fit perſons according to the Oath of Parliament; And Ordains that theſe who ſhall be nominated and appointed by them, ſhall have Acts of Parliament and Patents, paſt the great Seal in their favours, as their Predeceſſors got at the Parliament 1641. for their bruiking or injoying their reſpective places ad vitam vel culpam: And Declares, that amongſt other things wherein they are to ſeek and obtain ſatisfaction from the Kings Majeſtie for the good of the Kingdom, They will crave and inſiſt (without any receding) upon the Kings Majeſtie his Approbation thereof: It being always provided and Declared, That this preſent Act ſhall not (after his Majeſtie comes to the exerciſe of his Royall power) prejudge his right and intereſt in chooſing and nominating with the adviſe and conſent of the Eſtates of Parliament, Counſell and Seſſion reſpectivè, fit perſons to theſe places in the caſe of any ſubſequent new vacancie, according to the 15. Act of the Parliament, 1641. 185

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[LETTER from Sir Archibald Primerose to the Parliament.

FOR the right honⁿ & noble Lo: The Earle of Loudon Lord Chanceller & preſident of Parliament

May it please your lp.

SINCE it hes pleaſed god ſo to continow my ſicknes that I am not able to come abroad to attend the Parliamᵗ, I am neceſſitat to make vſe of this petition, wᶜʰ I humblie offer to your lp. That it may be red & conſidered in the proceſſe, when it ſalbe called. And þᵗ according to the equitie þᵗof, it may have your lpe patrocinie for

My lo:

Your lps/

Moſt dutiful & humble Seruant

A PRIMEROSE

10 of marche 1649

Producit be the lo chanr Red In parᵗ]

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186 DECREET againſt Sir Archbald Primeroſe Clerk of Secret Councell.

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187 DECREET againſt Sir James Learmonth of Balcomie one of the Senatours of the Colledge of Juſtice, &c.

[REPORT of the Committee of Dispatches anent Sir James Learmonth of Balcomie

THE Committee of diſpatches in purſuance of the Power cõmitted to them be the Parliãt remitting to thair conſideration the Precept iſsued foorth againſt Sʳ James Leirmond of Balcomie knight ane of the Senatorˢ of the Colledge of Justice, and execution thairof and with power to tak tryall of his carriage and behaviour in relation to the late vnlaufull engagement and of his guiltines of the four claſſes of the Act of Parliãt of the 23. of Januar last, Or anie of them, haveing mett and taken tryall thairof, Do find, that the ſaid Sʳ James beſyde manie vthers did ſubſcribe ane Paper, relating that they having ſeen and conſidered the Petition drawen vp to the honõll Estates of Parliãt or Comittee of Eſtates by the Cõmittee of warr of the Shyre of fyfe deſyring that the Parliãt wald not proceed to anie levie, or Ingagement without the grounds thairof were cleared to the Church and they ſatiſfied thairanent, Which did proceed vpon ſeverall ſupplications exhibited to the ſaid Shyre be the Preſbytries, vniverſitie of Sᵗ Andrewes and ſeverall Burghs of the ſaid Shyre THAIRFOIR they for the reaſõnes conteined in the Protestation maid againſt the ſame be John Earle of Crafurd for himſelff and diverſe noblemen and Gentlemen of that Shyre vpon the 18. and 19. dayes of May laſt, Did adhere to the diſaſſent Proteſtation and appeale maid againſt the ſame And that vpon the ſecond of Junij laſt the ſaid Paper ſo ſubſcribed is red in Parliament and thanks returned to the ſubſcribers thairof, efter the reading of a contrair Proteſtation By the qᶜʰ by and attoʳ the notorietie of the ſaid Sʳ James his carriage in proſecuting of the ſaid engagement, in Cõmittees and vtherwayes, it doth evidentlie appeare that the ſaid Sʳ James Leirmond is manifeſtlie guiltie of theſe crymes conteined in that article of the ſecond claſſe maid anent theſe who concurred in Petitions, Proteſtations, Remonſtrances or letters for moving of the Parliãt or Cõmittees to carrie on the engagement, And anent theſe who proteſted againſt Petitions of Preſbytries againſt the ſame engagement And thairfoir hes incurred the cenſure to bee Impoſed vpon theſe who ſhould bee fund in the ſecond claſſe

10 marche 1649

Red voted and approvin in parᵗ and accordinglie decernis

LOUDOUN. Canᵐrius

I P D P]

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DECREET againſt Sir James Carmichael Theſaurer-Depute. 188

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NOMINATION of the Earl of Sutherland to be Lord Privie ſeal.

THE eſtats of parlement pñtlie Conveined in this ſecond seſſioun of the ſecond trienniall parlement be vertue of ane Act of the Committee of eſtats who had power and authority from þe laſt parlement for Conveining of the parlement. CONSIDERING that the place and office of Lord Keeper of his mãties privie Seale of this kingdome now vaikes by the deposition of Robert earle of roxburgh (who lately poſſeſt þᵗ place, and had þe keeping of the said privie Seale) Conforme to þe act and sentence of this preſent parlᵗ given againſt þe said Roᵗ earle of roxburgh þᵗanent upon the threttein day of februar And Knowing the ability and fidelitie of ane noble earle John Earle of Southerland Lord Strathnaver for exerceing that place Thairfor and to the effect his mãties Liedges and ſubjects of this Kingdome may ſuſtayne no prejudice throw not tymous filling the ſaid place The ſaids eſtats of Parlement doe nominat elect and Conſtitute the said Johne earle of southerland ᵗc Lord Keeper of his mãties privy ſeall of this kingdome And that ad vitam aut Culpam Conforme to þe act of þis preſent parlement of the date of these pñtis GIVEING graunting and diſponing to him the office þᵗof for the space forſaid with all honoᵘʳ priviledges precedency dewties fies casualities Immunities preeminence and whatsoeuer els is or may be knowne to belong to 189

þe said office any maner of way And q^rof the ſd ro^t earle of roxburgh Or umq^ll Thomas earle of hadintoun or any their prediceſſo^rs in the said office as lord^s keepers of the said privie ſeall were in uſe or p̃o^un And with power to him to bruik and poſſes the ſaid office als friely and amply in all reſpects as they or any of þ^m did exerce þe same at any tyme heeretofore With power to þe said noble earle To appoint deputs ane or mae under him in þe said office for q^m hee ſhall be haldin to an ſ^r And to mak nominat and appoint þe clercs to þe privy ſeall ane or mae for wryting ꝛ regrating all ſuch lres and wryts as ſhall pas the said ſeall whensoeuer that place ſhall vaik And to doe all other things in þe said office as the ſaids earles of roxburgh and hadintoun or any of þ^m did or might have done as Lord^s Privy ſeall at any tyme heirtofore Ordaining a gift þ^rof to be past ꝛ exped under his mãties great ſeall if neid beis to þe said Jo^n earle of ſoutherland for his farder aſsurance of þe said office duiring the ſpace forſaid

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190 NOMINATION of the Earl of Lothiane, to be one of the two that are to diſcharge the office of Secretary.

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191 NOMINATION of Sir Daniel Carmichael to be Theſaurer-Depute.

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192 NOMINATION of Sir Archbald Johnſtoun to be Clerk of Regiſter.

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193 NOMINATION of Maſter Thomas Nicolſon to be his Majeſties Advocat.

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194 ACT in favours of the Lairds of Glenurquhy and Auchinbreck.

[REPORT of a Committee of Parliament anent Glenurquhy and Auchinbreck.

AT EDINBURGH The Threttein day of ffebruar The ȝeir of god J^m vj^c ffourtie nyne ȝeires THE Eſtaitis of parliament now preſentlie conveined ꝛc^a Have Nominat and appoyntit The Erle of Bucleugh and the Lord Balmerino ffor þe noblemen Sir Charles erſkene and the Laird of Greinnok ffor the barounes Patrik roſ burges of Perth and Mr George halyburtoune for þe borrowes To be ane cõmittie of parliament To quhome or maiſt pairt thairof as a quorum The ſaidis eſtaitis Remittis the conſideratioune of þe ſupplicatioune Exhibeit in parliament be Sir Robert Campbell of Glenvrquhy kny^t accompanied with Maiſter Robert dowglas and vtheris of the miniſtrie Quhairby he craves his ſad and deplorable conditioune to be conſiderit be the parliament and to tak ſum effectuall courſ quairby he may be enhabled to ſubſiſt and mak ſatiffactioune to his creditouris and Ladeyis Lyifrentrices to quhome he is debto^r With power to þe ſaid cõmittie or quorum thairof afoirſaid To find out ſome ſpedie and effectuall ſupplie to the ſaid Sir Robert And thairefter report thair oppinioun in wreat to the parliament To the effect they may tak the ſamyn to thair conſideratioun and doe thairin as they ſall think fitt

Apud Ed^r 27 febr^ij 1649

THIS day The Lord Balmerino preſes of þe abonewrin cõmittie w^t Sr Charles erſkene the Laird of Greinnok Patrik roſ ꝛ Mr George halyburtoune being preſent of þe cõmittie aboneſpẽit appoyntit for þe Lairdis of Glenvrquhy and auchinbreck þ^r buſines

THE cõmittie and quorum þ^rof afoirſaid appoyntit be þe parliament for conſidering the ſupplica^ounes of þe Lairdis of Glenvrquhy and auchinbreck Mak this there report That in this calamitous tyme they can find no overturis fitt to repair þe loſſ and diſtreſſ of theſe noble famelies but they humblie offer to the parliamentis conſidera^oune If they think fitt to borrow ſome conſiderable ſowmes of money frome theſe that have bettered there eſtaitis by ſrveing þe publict theſe few ȝeires paſt that a mater of Ane hundreth thowſand pundis Scottis may be appoyntit To them out of þe firſt and reddieſt of þe ſaid^e ſowmes to be borrowet according to þe proportioune of to be diſtributit betuixt them according to þ^r burdingis and loſſ

OR If thair may be ane voluntar offer of ane full monethis mantenance as it was payet befoir this moneth of februar Inſtant beſyid the fyve monethis mantenance aſſignit to þe airmie which may be diſtributit for ane p̃nt ſupplie of þe petitioneris in maner foirſaid q^lk will not exceid the tent pairt of their loſſ

L Grinok Charles Erskine
Pa: Roſ

2 martij 1649

Red ꝛ remitted to the ſeverall bodies ꝛ the report to be brought in vpoun monday with ane liſt of the lenneres of the money

3 March 1649.

The Lords hauing Conſidered the report within-wretten, doe approue the ſame

10 Marche 1649.

The Eſtaittes of par^t Ordaines the ſowme of Ane hundreth thowſand pundis To be payeit to Glenvrquhy and auchinbraik equallie betuixt thame out of the firſt and reddieſt of the moneyes to be borrowit and fynes to be vplifted Conforme to the actis of this preſent par^t ffor thair preſent ſupplie

LOUDOUN . Can^trius
I . P . D . P .]

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WARRAND to Jo^n dickſone to produce haddo his proces 't the proceſſ Jhone Logie 't laitt marqueis of huntlie.

Ed^r Decimo Martij 1649

195 THE eſtaitts of Parliament ordanes Johne dikſone of hairtrie To exhibit and produce before the Cōmittee appoyntit bee the parliament for reviſing of þe proces aganes the Marqueis of Huntlie L Haddo and Johne logie The ſamene proceſſ conforme to þe warrand of pliament grantit to þame ꝑanent to þe effect that that Cōmittee may compair þe factis q^r vpone þe foirfaulture and proba^ne proceidit, and ordanes the ſaid Cōmittee (efter reveiſing and compareing of þe factis contenit in þe ſaid proces) To mak report þ^r of to þe plia^t Quhairanent thir pñtꝭ falbe ane ſufficient warrand to þe ſaid Johne dikſone for exhibiting þe ſaid proceſſ

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[LETTER from the Parliament to William Lenthall Esquire

FOR the honorable William Lenthall Eſquire, Speaker of the Houſe of Commons.

SIR,

HAVING ſeen a Paper of the 24. of February laſt, given in to you by our Commiſſioners, with a Printed Paper thereupon of the 26. of February, Intituled, A Declaration of the Parliament of England, declaring the aforeſaid Paper given in by our Commiſsioners, to contain reproachfull matter againſt the Proceedings of the Parliament of England; and aſſuming power over the Lawes and Government of that Nation, with a deſigne to raiſe ſedition, and lay the grounds of a new War in that Land; And further, ordering a Meſſage to be ſent to us, to know whether we will owne the ſaid Paper preſented in our names; And that our Commiſſioners (being by command from us, upon their return from that Kingdom) are reſtrained, and a Guard ſet upon them; We could not be ſo far wanting in that dutie we owe to this Kingdom, and the care, and regard which in juſtice and honour we ought to have of the ſafetie and freedom of thoſe imployed in ſo publick a truſt, As not to take ſpeciall notice of their condition and hard uſage; And have therefore reſolved and thought fit to ſignifie to you, That We do owne that Paper given in by our Commiſsioners, as agreeable to the Inſtructions which they had from us, wherein we, and they in our name, could not but give Teſtimony againſt thoſe things which we conceived to be contrary to the grounds and bonds ſo often declared and acknowledged by both Kingdoms, leſt our ſilence be eſteemed a complyance, or we thought any wayes acceſſorie to thoſe great Alterations, and the dangerous conſequences may enſue thereupon. And as our Proteſtations in the former Seſsion of Parliament againſt the late unlawfull Engagement, our Act of this Parliament diſclaiming and repealing the ſame, and every thing done in purſuance thereof; and our whole proceedings before, and ſince, are ſufficient and reall evidences of our ſincere deſires, and conſtant reſolutions to continue the Union and Peace betwixt the Kingdoms, according to the Covenant and Treaties; ſo is it very far from our Intentions, to aſſume any power over the Lawes and Government of that Kingdom, or any wayes to raiſe ſedition, or lay the grounds of a new War, or do any thing in purſuance of the late unlawfull Engagement, which can no wayes be inferred from the ſaid Paper, containing only our adherence to our former Principles, acknowledged by both Kingdoms, And it being given in to you, to be communicated in the ordinary way.

WE are ſo tender of the Union betwixt the Nations, that we think the Remonſtrating of the breaches of Peace, the craving of juſt reparation, and uſing of all amiable and fair means, ſhould be firſt eſſayed, before any Engagement in a War, which even then cannot be done by either Kingdom, without a breach of the Large Treatie, unleſſe it be upon three Moneths warning preceding; upon which, amongſt other grounds and reaſons, We did proteſt and declare againſt the late Engagement, And do confidently expect the like from England; according to the Papers given in by their Commiſſioners, to the preceding Seſſion of Parliament. And however any prevalent party in either Kingdom hath infringed, or may break theſe bonds, yet we do not conceive it either agreeable to Gods will, or conduceable to the welfare of theſe Nations, to lay thoſe ſacred tyes aſide as diſſolved and cancelled, but rather that they ſhould be preſerved for the good of both Kingdoms, and benefit of thoſe who have no acceſſion to ſuch breaches, and of ſucceeding Generations who are innocent thereof, and may ſuſtain manifold Inconveniences by the diſſolution of the ſame.

HAVING thus cleared our Intentions and reſolutions, We hope none can juſtly blame this Nation to continue and remain conſtant in their former judgement and principles, which the Honourable Houſes of the Parliament of England, profeſſed alſo to be theirs, when they induced this Kingdom to enter into ſo Solemn a League and Covenant with them; far leſſe can it be any ground at all for re-reſtraining our Commiſſioners, contrary to the Publick Faith and Law of Nations, by which the freedom of Ambaſſadours and Commiſſioners is ſacred and inviolable, not onely betwixt Chriſtian, but even amongſt Heathen Kingdoms & States. And therfore we deſire that our Commiſſioners may be

free from all reſtraint, that they may, without any ſtop or moleſtation, return in what way they think moſt fit to give us accompt of their Proceedings; In confidence wherof we remain

Your affectionate Friends

Signed in name and by Command of the Parliament of the Kingdom of Scotland. LOUDOUN Cancellarius.]

Edinburgh, March 6. 1649.

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[INSTRUCTIONS from the Parliament to the Earle of Lothian, Sir John Chiefly, and William Glendoning.

Edinburgh, 6. March, 1649.

1. YOU ſhall ſhew, That it is the conſtant reſolution of the Parliament of this Kingdom, inviolably to preſerve the Peace and Union between the two Kingdomes, according to our Solemn League and Covenant and Treaties, which hath been often acknowledged to be of ſo great uſe and advantage to both.

2. AND hearing that our raiſing of Forces in this Kingdom is interpreted, as if thereby we intended to Invade England; you ſhall therefore ſhew, that our preſent leavying of Forces is neceſſitate for ſuppreſſing of Malignants, who are in Armes and rebellion, and have ſurprized the Garriſon of Inuernes, to prevent further Inſurrections, and to preſerve the Peace of this Kingdom, and nowayes for Invaſion of England.

3. YOU ſhall ſhew, That by the Large Treatie, the remonſtrating of the breach of Peace, the craving of juſt reparation, and uſing of all fair means ſhould be firſt eſſayed, before any Engagement of theſe Kingdomes in a War, which even then cannot be done by either Kingdom, but upon a preceding warning of three Moneths; which rule as we intend to obſerve on our part, ſo being informed of a deſigne in England, to ſend an Army to Invade this Kingdom, we deſire you to enquire, whether theſe who have the preſent power and command of the Forces in England think themſelves obliged, and do intend to obſerve the foreſaid rule upon their part to us; for enforcing hereof, you may remonſtrate, that the Commiſſioners from that Kingdom, in their Papers given in the laſt Seſsion of Parliament, did urge this duty from the Treatie; and upon the ſame ground amongſt others, we did proteſt againſt the late Engagement, and have repealed all Acts made for promoving thereof.

4. YOU ſhall manage theſe Inſtructions as upon the place you ſhall thing fit, to the beſt advantage, and, as ſoon as you can, return to us an accompt of your diligence.

Signed in the name, and by the command of the Parliament of the Kingdom of Scotland. LOUDOUN Cancell. Præſes Parliamenti.]

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XII MARTII.

ACT anent Sir Archbald Johnſtoun Clerk of Regiſter, accepted his place, and gave his oath de fideli adminiſtratione. 196

. . . . . .

ACT anent the purging of the places under the Clerk of Regiſter. 197

. . . . . .

ACT and warrand for delivery of the keys of the houſes of the Caſtle of Edinburgh where the Regiſters and Records lyes to the Clerk of Regiſter. 198

. . . . . .

ACT in favours of the Burgh of Aberdene. 199

. . . . . .

WARRAND to the L. of Suintoun for examining the proceſſe and decreets of forefaulture againſt the late Marqueſſe of Huntly and others. 200

. . . . . .

ACT anent the diviſion of the Horſes to be put forth by the Shires of Aberdene, Kincardin and Bamff. 201

. . . . . .

PROTESTATION by the Vicount of Arbuthnet againſt the ſaid Act.

. . . . . .

ACT anent the lands of Innerugie and Straloch. 202

. . . . . .

ACT in favours of the Earl of Caſſils. 203

. . . . . .

ACT in favors of Wil. Muir of Glanderſton. 204

. . . . . .

ACT in favours of Col. Rob. Montgomerie. 205

. . . . . .

206 ACT anent the diſpoſing of borrowed Moneys and Fynes.

. . . . . .

207 ACT in favours of Sir John Brown.

. . . . . .

208 ACT in favours of Maſter James Campbel.

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209 ORDERS to the Generall Commiſſar anent the paying of the Forces.

. . . . . .

210 WARRAND to the Lord Chancellour anent the Miniſter of Dalmenie.

. . . . . .

211 ACT where M. Thom. Nicholſon accepted to be his Majeſties Advocate, and gave his oath.

. . . . . .

212 ACT in favours of the Earl of Eglintoun.

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213 ACT anent the election of ſeven ordinary, & two extraordinary Lords of Seſſion.

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214 ACT and decreet againſt Sir John Leſlie of Newtoun.

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[REPORT of the Committee for common burdens anent the Accompts of the tax and loan.

10 Martij 1649

THE Comittee for the Comon burdeanes having takin to thair Conſideratione the accompt^{t} of the taxt and loane intromett^{t} w^{t} be the Ld Humby, and of the firſt ſevintein monthes mentenance borrowit moneyes and fynes: And lykwayes the accompt^{t} Givin in be the L^{d} of Bogy whairin they find that thair is givin wp to be reſting on the ſhyres in the lord humby and Bogies accompt^{t} the ſowme of tuo millione fyve hundreth four ſcoir tuo thouſand fyve hundreth and threttie pound: and that nather Bogy hes charged himſelff w^{t} the reſt^{t} of the Ld Humbies accompt^{t}: nather Sr James ſtewart w^{t} the reſt^{t} of Bogies accompt^{t}, Thairfor thair humble opinione is That the Parliament may find out a way to bring the collectoris and ſubcollecto^{rs} to ane accompt, by remitting the pticular reſt^{t} to be cognoſced be the comiſſionar^{s} of ſhyres and burghes and comitteeis of warr and reported be thame to ane comittee to be appoynted be the pliament: who may haue lykwayes pooer to call for the accompt^{t} of excyſe borrowit moneyes and fynes That ſo it may be ſein, how thoiſe ſowmes ar ſaid to be reſting, and the mynd^{t} of thoſe ſatiffyed who cry out of the heavie burdeanes of the Kingdome not knowing how the ſowmes of money appoynted to be vplifted ar employed

BURGHLY 1:P:D:Com.

12 marche 1649

The Eſtaittes of par^{t} approves The repoirt and appoyntis ane comitte of fyve of eache eſtaitt and the quorum p^{r}of to be ſevin ffor traying of the haill bygaine accomptis reſtand awand to the publict And allowes to thame fiftie merkis of Ilk thowſand merkis p^{t} they ſall diſcover q^{lk} hes bein Intromettid with and vncompted for to the publict And this cōmitte Is to be choſin out of the cōmitte of eſtaittes

LOUDOUN. Can^{ll}rius
I. P. D. P.]

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XIII MARTII.

EXEMPTION granted to the Burghs of Kirkaldie and Kinghorn. 215

. . . . . .

COMMISSION for reviſing of Reports and Bills. 216

. . . . . .

ACT appointing the Lord Balmerinoch in place of his father, for viſiting the Univerſity of Saint-Andrews. 217

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XIV MARTII.

ACT Commiſsion to the Committee of Eſtates.

THE Eſtates of Parliament now preſently conveened in this ſecond Seſſion of the ſecond Trienniall Parliament, By vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening of the Parliament, Being upon good reaſons to diſſolve, And conſidering how neceſſary it is for the good of Religion, King and Kingdomes, for preventing and remedying all evills and dangers that may befall to any of theſe from inteſtine commotions, or forraign Invaſion, for preſerving the peace of the Kingdome, and union betwixt both, And for doing, acting and ordering all things relating either to Peace or Warre, agreeable to the Covenant and ends thereof. That a grand Committee be nominated and appointed by them, of able and well-affected perſons, Doe therefore nominate, elect and make choiſe of the perſons following, viz. For the Noblemen, Archbald Marqueſſe of Argyle, John Earle of Sutherland, Alexander Earle of Eglingtoun, John Earle of Caſſels, Francis Earle of Buccleugh, William Earle of Louthian, Robert Viſcount of Arbuthnet, Archbald Lord Angus, 218

[David] Lord Elcho, [George] Lord Brechin, Allane Lord Cathcart, William Lord Roſs, John Lord Borthuik, John Lord Torphichen, John Lord Balmerino, Robert Lord Burghlie, James Lord Cowpar, [John] Lord Kirkcudbright, [Andrew] Lord Fraſer, and [William] Maſter of Forbes. And for the Barones, Arthur Erskine of Scottiſcraig, Sir James Halket of Pitfirren, George Dundas of Duddingſtone, Mr. John Dikſon of Busbie, Sir James Hope of Wedderburn Knight, Sir David Home of Swinton younger of that ilk, Sir Charles Erskine of Cambuskenneth, Sir William Cunningham of Cunninghamheid, Sir Hew Campbell of Ceſnok Knight, Sir Andro Ker of Greinheid, Sir Thomas Ruthven of Freeland, Sir Robert Adair of Kinhilt, Andro Agnew fiar of Lochnaw, Sir George Maxwell of Netherpollok, John Dikson of Hartrie, Sir John Broun of Fordell, Arthur Forbes of Eight, Mr. William Sandilands of Hilderſtone, and John Cokburn of Ormeſtone. To the whilks forenamed Barons, The ſaids Eſtates adde the particular perſons following to be alſo upon the Committee of Eſtates, viz. Sir John Hope of Craighall Knight, Sir Alexander Belſches of Toſts Knight, John Schaw of Greenok, Sir Lodivick Houſtoun of that ilk Knight, Sir William Scot of Clerkingtoun, Colonel Walter Scot of Hartwoodburn. And for the Burrowes, James Borthuik for Edinburgh, Patrick Roſs for Pearth, Robert Davidſon for [Dundie] George Porterfield for Glaſgow, James Sword for St. Andrews, Thomas Bruce for Stirling, James Campbell for Lynlithgow, Hew Kennedy for Air, Mr. Robert Barclay for Irving, Mr. James Campbell for Dumbartane, Gedion Jak for Lanerk, Mr. John Hay for Elgin, Thomas Macbirnie for Drumfreis, John Forbes for Inuernes, William Simſon for Diſert, George Gairden for Bruntiland, John Boſwall for Kinghorne, Mr. Alexander Dowglas for Bamff, George Jameſon for Cowpar, and James Macculloch for Whithorn. To the whilks forenamed perſons of the Burrowes, The ſaids Eſtates likewiſe addes the perſons following to be for the Burrowes, Sir William Dick of Braid Knight Sir John Smith of Grottel Knight, Robert Lockhart Merchant, Burges of Edinburgh, John Schoart Burges of Stirling, Mr. William Moir Burges of Aberdeen, and James Ruchheid Baily of Edinburgh. Likeas the ſaids Eſtates of Parliament alſo addes as ſupernumerary to the forenamed perſons of the Committee of Eſtates, the perſons following, viz. John Earl of Loudoun, &c. High Chancellor of this Realm, The Generall officers, Sir Archbald Johnſtoun of Warriſtoun Knight, Clerk of Regiſter, Sir James Stewart of [Kirkfeild] Generall Commiſſar, Sir John Cheiſlay of [Kerſwell] Alexander Brodie of that ilke, Mr. George Winraham of Libbertoun, William Glendoning Proveſt of Kirkcudbright, and Alexander Jaffray Baily of Aberdeen. To whom, or any nine of the forenamed perſons, there being two for every eſtate, The ſaids Eſtates of Parliament doe grant Power, Warrant and Commiſſion to meet and conveen at ſuch times and places as they ſhall think fit, And there to take ſick courſe and reſolutions to give ſick orders and directions in diſcharge of the great truſt committed to them, during the vacancy of Parliament as they ſhall think neceſſary and conducing to the right ordering and governing the whole body of the Kingdom, according to the League and Covenant, and in perſuance of the ends thereof, ffor the better effectuating hereof, They are hereby warranted to authorize Commiſſioners to Treat and conclude with the Kings Majeſty, and the Kingdome of England; As alſo to treat and negotiate with any forraign Princes or States in theſe things which may concern the honour, juſt power, and happineſſe of the Kings Majeſty and his Royall poſterity, and the good of theſe Kingdomes, And to uſe all effectuall meanes for preventing miſunderſtandings, diſtractions and differences, and ſtrengthning a firm amity betwixt his Majeſty and his people, And in caſe they ſhall find it neceſſary for the ſafety of the Kingdome to make uſe of more forces then are preſently on foot, With power to them to give orders to the ſeverall Shires and Burghs of this Kingdome for raiſing of ſuch number of horſes and foot out of the ſeverall bounds and Juriſdictions as they ſhall think neceſſary; And for providing them Arms, Ammunition, Victuall, and other neceſſaries, to appoint places of their Randevous, and give order for their quartering and entertainment, and for that end to augment and prorogate the Maintenance and Exciſe (the whole Committee being firſt timouſly warned to that effect, and the moſt part being preſent) And to appoint ſuch Generall Officers over them as they ſhall think fit, and are not already named by the Parliament, Reſerving to the Shires and Burghs the nomination of Officers whereof they have been formerly in poſſeſſion by Order of Parliament, And to disband the Armies and Forces as they ſhall think fitting, And to Ordain the foreſaid Maintenance and Exciſe as the ſame ſhall be augmented and prorogated by them as aforeſaid to be imployed for the uſe of the Forces raiſed or to be raiſed allanerly.

AS likewayes with power to them to Treat and determine with the Kingdom of England, anent the reſt of the moneys due by that Kingdom to the Scottiſh Army in Ireland, And generally with power to them to Ordain, diſpoſe and imploy all the Forces of the Kingdom, levied or to be levied as they ſhall judge fitteſt for the ends above-nominate within the Kingdom; With power alſo to the ſaid Committee to Treat, conſult and determine without prejudice of former aſſignments anent the payment of the remainder of the brotherly aſſiſtance, or any other moneys due by the Kingdom of England to this Kingdom, and for ſetling removing

and preventing all differences betwixt theſe two Kingdoms, With power alſo to them to eite and conveen before them all perſons that are guilty of any of the Claſſes of the Act of this preſent Parliament, and to take tryall of their carriage and behaviour in reference to the late unlawfull Engagement, and to pronounce ſentence and determine againſt them as they ſhall finde juſt, and to purge the Judicatories and places of truſt according to the Act of Claſſes, And alſo With power to the ſaid Committee to apprehend or call before them all ſuch perſons as ſhall invade this Kingdom, or have or ſhall make any inſurrection to the diſturbance of the peace thereof, or ſhall oppoſe or riſe in Armes againſt the Authority of this Parliament, or Committee of Eſtates herein nominate, or who ſhall concur with, aſſiſt, keep intelligence or correſpondence with any of the ſaids Invaders or riſers in Armes, and to purſue them for the ſame, pronounce Sentence and do juſtice upon them by forfaultor or otherwayes, conform to their ſeverall degrees of guiltineſſe, And als fully in all reſpects as the Parliament might do if they were ſitting; And als with power to them to bring off ſuch as are or have been in Rebellion (excepting theſe perſons excepted in former Acts of Parliament) as they ſhall think moſt conducing for the publick good and peace of the Kingdom, Providing the ſame be conforme to the limitations contained in former Acts of Parliament, And farther, With power to them to give orders to the Committee of War of the Shires and to all Colonells, Stewarts, Sheriffs, Bailies and other Magiſtrates and Subjects to Burgh or Land, in every thing concerning the good and quiet of the Kingdom, And generally with power to the ſaid Committee to do, Act & Order all & ſundry other things that ſhall be found neceſſary for the good of Religion, the honour and happineſs of the King and his Poſterity, the union between the Kingdoms, and the peace of this Kingdom, And for ordering, providing for, and diſpoſing the Forces belonging to the Kingdom, and for procuring obedience to the Authority and reſolutions of the Parliament or Committee of Eſtates, And for governing of the whole body of the Kingdom as fully in all reſpects as the Parliament might do if they were ſitting in pleno conceſſu, excepting alwayes herefrae the Commiſſion granted for inbringing and diſtributing the publick moneys and regulating the accompts, which is reſerved in the full force thereof: And it is Ordained that the whole Commiſsioners aforeſaid ſhall at their firſt meeting in the Committee accept the Commiſſion, and give their ſolemn Oath for their faithfull and diligent diſcharge of their truſt; And laſt with power to them to make choice of new perſons of that ſame degree and quality to ſupply the places of theſe who ſhall happen to deceaſe, or by ſickneſs or otherwayes ſhall be neceſſarily abſent, And alſo to fill the places of theſe of the Committee of Accompts and moneys who ſhall happen to deceaſe, or by ſickneſs or otherwiſe ſhall be neceſſarily abſent, with others of the ſame degree and quality; And further in caſe the ſaid Committee ſhall augment the Maintenance & Exciſe for the uſe aforeſaid, With power to them accordingly to grant Retention of the Annual rents of money for ſuch ſpace as they ſhall augment the foreſaid Maintenance, And if any matter of importance do occur that requires a meeting or reſolution of the Eſtates, With power to the Committee forſaid or their Quorum, To conveen the Parliament ſooner nor the 23. of May next to come, to the whilk day the Parliament is to be continued, if they think fitting, And ſiclike the ſaid Eſtates gives hereby power & warrant to the Committee aforeſaid or Quorum thereof abovementioned to decide in all things referred to them by Parliament; firme & ſtable holding and for to hold what ever the ſaids Commiſsioners or Quorum aforeſaid ſhall do, in maner & for the end aforementioned: Likeas the ſaids Eſtates, Diſchargeth all former Commiſſions to any Committee of Eſtates, And appointeth this Commiſsion to endure till the next meeting of Parliament and ay and while the ſame be ſimpliciter diſcharged.

ACT of Commiſsion for Moneys and Exciſe.

THE Eſtates of Parliament now preſently conveened in the ſecond Seſſion of this ſecond Triennall Parliament by vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening the Parliament, Taking to conſideration the preſent great burdens of the Kingdom, And that there are great ſums of money belonging to the Publick, reſting uncompted for in the hands of the Collectors and Intromettors with the Publick dues, or unuplifted and received from theſe who are liable and ſubject in payment thereof, to the great prejudice of the Kingdom and continuance of the burdens thereof; As als that the matter of moneys may be rightly regulated and diſtributed for Maintenance and Entertainment of the Army and Garriſons, and other Publick uſes within the Kingdom, And finding it neceſſary that it be cleared what ſums are owing to the publick, and the ſame in-brought to be applyed for payment of the moſt neceſſary and preſſing debts and burdens of the Kingdom, Do therefore hereby nominate, authoriſe and appoint the perſons following, viz. Archibald Marquis of Argyle, John Earl of Caſsils, [Robert] Vicount of Arbuthnot, Robert Lord Burley, John Lord Torphechin, Sir Hew Campbell of Ceſnok Knight, Sir William Cuningham of Cunninghamheid, Sir Thomas Ruthven of Frieland, Sir Charles Erskene of Cambuskenneth, Sir James Hope of For the Barones, Mr. Robert Barclay Proveſt of Irwing, George Porterfield Proveſt of Glaſgow, Hugh Kennedy Proveſt of Air, Sir John Smith of Groat- 219

well, late Proveſt of Edinburgh, and Gedeon Jack Baily of Lanerk. To whom or any ſeven of them for paſſing of the precepts underwitten, and otherwayes to any five of them as the Quorum thereof, The Eſtates of Parliament do hereby give full Power, Warrant and Commiſsion, to take and ſurvey an exact tryall of the publick Accompts, Debts and Burdens of the Kingdom, And alſo what publick moneys is received to be uplifted by Loan, Taxt, Maintenance, tenth, twenty penny, Exciſe, lending and fining, or any other way are yet unpaid and in-brought for the uſe of the publick, And to try how and where the ſame is reſting, and call all parties and perſons, havers thereof, or who intrometted with the ſame, and have not as yet compted therefore, And all perſons owing and liable in payment thereof to an Accompt, hear and allow or diſallow the ſame as they ſhall finde juſt: And after tryall thereof to enjoyn them to pay what ſhall be found ſo to be reſting, And for that effect with power to them to iſſue forth and direct ſuch Orders, Letters and execution, and take ſuch other expeditious way as ſhall be found neceſſary for that end, and to pronounce Decreets and Sentences thereanent, And to cauſe put the ſame to execution, and to reduce the whole debts, compts, and publick moneys of the Kingdom in ſuch Order as the Burdens of the publick may be known, and als what ſums are owing to the publick, and what are owing by the publick to any; And for the better clearing of the ſaid publick Accompts and burdens of the Kingdom, and alſo what ſums are reſting to the publick yet unpaid, With power to the ſaid Committee or their Quorum to call for the inſpection of the Regiſters, [Records] and Warrants of Parliament, and all other Committees, and any other publick Records thereanent, To the effect that all Compts, Bands, Reſts and Reſpondes may be exactly extracted forth thereof, and the perſons liable therein may be made comptable for the ſame: Likeas the ſaids Eſtates of Parliament hereby commits and intruſts to the foreſaid Committee the ſole and only power of diſpoſing and diſtributing of all moneys which ſhall come in and be due to the publick, together with the whole rents and duties of Lands, ſummes of mony, Moveables, and others belonging to Malignants, and forefaulted perſons, with all Fynes, and prizes of forefaulted Lands, and others whatſomever pertaining to the publick, and to imploy the ſame in the firſt place, for the maintenance and entertainment of the Armies within the Kingdome, and ſubſiſtance of theſe who ſhall bee found by them to bee utterly ruined; And for that effect, grants to them the ſole and onely power to give out and ſubſcrive Precepts for the pay and maintenance of the Armies, and ſatisfying any perſons of ſick ſummes as are, or ſhall be appointed by Parliament, or Committee of Parliament, for taking, or killing of any perſon in the Rebellion, And for Intelligence, Poſts, buying of Armes, Ammunition, the Train of Artillery, Carriages, and ſuch other preſſing and urging affairs as ſhall be recommended by the Committee of Eſtates, and as Concerns the out-reik expedition and maintenance of the Armies, and proviſion of the Gariſons allanerly. And Ordains every Precept to be ſubſcrived by a full Quorum of the ſaid Committee at the leaſt, Which perſons, Subſcrivers thereof, ſhall be anſwerable to the Parliament, That they ſubſcrive no Precepts upon the Monethly Maintenance, but for the cauſe foreſaids, till the affaires and maintenance of the Armies be firſt diſpatched and ſatisfied, wherein if the ſaid Committee contraveen and failzie, The ſaids Eſtates of Parliament hereby Declares and Ordains the Subſcrivers of the ſame Precepts, to be liable in payment to the publick of all ſuch ſums, for which they ſhall draw Precepts for any other cauſe, till firſt the affaires and maintenance of the Armies be ſatisfied; With power to the ſaid Committee in the next place to diſpoſe and grant Precepts upon the Exciſe monies for the incident charges allanerly, and all Precepts are appointed to be drawn upon the Generall Commiſſar onely. And Ordains the ſaid Committee frequently to conſider the Eſtate of the publik caſh, and what monies are therein from time to time, and to fit monthly an accompt of incident charges, and to draw no Precepts, but when there is money in the caſh to ſatisfie and anſwer the ſame. Likeas the ſaid Eſtates Ordains the foreſaid Committee in their diſtributions, and ordering of the payment of the monies for the Armies, To diſtribute the ſame equally, and to take ſuch conſtant courſe as all Regiments of foot and horſe, be put and keeped in equality, either in money, proviant or proviſion, according to their ſtrength and muſterrolls, being muſtered, as is already provided, And to the effect that both officers and ſouldiers may know their own proportion due to them, for all monies to be payed to them, It is ordained, that all precepts to be directed by the ſaid Committee for that effect, ſhall bear in cumulo, what proportion of the whole ſummes contained in the precept, is allowed to be payed to the officers, and what proportion thereof to the ſouldiers of the Regiment, Troop, or Company; for which the ſaids precepts are granted. And ordains the Clerk to be appointed by the Clerk Regiſter for this Commiſsion, ſhall have the truſt and keeping of the reſpondie books, and of all the Accompts, Inſtructions and Warrants thereof, which concern the publick. And the Eſtates Ordains the Clerk to have a Regiſter containing the whole accompts, both of Intromiſsion, and how the ſame is given out, and where matters of difficulty or importance ſhall occurre, The ſaids Eſtates of Parliament Ordains the Committee of Eſtates to give their advice to the foreſaid Committee hereby appointed, as they ſhall neceſſarily deſire the ſame. With power alſo to the ſaid Committee or Quorum thereof, to fyne

and borrow monies from all ſuch perſons as are qualified after the manner, and according to the reſtrictions contained in the Act of this preſent Parliament, of the date [ſeventh Marche] And with power to them to give publick ſurety to thoſe from whom they borrow, according to former uſe, And Ordains the well-affected to be firſt ſatiſfied. It is hereby declared, that whatſoever perſon to whom the publick is owing any moneys, ſhall give in to the ſaid Committee a Liſt of perſons able to lend monies, or are or ſhall be fyned, and not excepted by the Act of this preſent Parliament, That in that caſe, the one halfe of the ſaids ſummes be given to the parties in part of payment of their ſummes, and the other half is to be given to the generall Commiſſar, and applyed to the uſe of the publick, To the whilk Committee likewayes or Quorum thereof foreſaid, The ſaids Eſtates gives Power to iſſue forth Commiſſions for trying of waſted and burnt lands and other loſſes by Sea or Land, and to receive in reports of the ſame. Siclike the ſaids Eſtates doe hereby nominate and appoint the perſons above named, to be Commiſsioners for the Exciſe, And grants Power and Warrant to them or their Quorum foreſaid, or ſick of their number, as they ſhall ſubſtitute and appoint to govern the Office of Exciſe, Ferm the ſame; And appoint Collectors, Surveyers, and other under Officers, and ſet down ſuch Acts and Ordinances, as ſhall be neceſſary and requiſite for that effect, Conform to the Act of Parliament concerning the Commiſsion, and Ratification anent the foreſaid Exciſe, and according to the Act of Parliament anent the late addition to the Exciſe, and to proſecute the Wayes and Acts already ſet down anent the ſaid Exciſe, as they ſhall think fit: And for the incouragement of the ſaid Committee, and inabling them to attend and proſecute the ſaid Commiſsion, The Eſtates Ordains them to have the allowance granted formerly to the Commiſsioners of Exciſe, according to their ſederunts, and two of the hundred of the monies which they ſhall diſcover and bring in of publick dues and reſts, preceding October laſt; And for the better clearing of the Generall Commiſſars charge, It is likewiſe Ordained, That all diſcharges to be granted, and accompts to be fitted at any time hereafter by the Generall Commiſſar, to any Sub-Collectors, or other Intromettors whatſomever, with any publick dues, or who are appointed to pay to him any monies for whatſomever cauſe for the publick uſe, ſhall be by them brought in to the ſaid Committee within one moneth after the ſubſcriving thereof; to the effect, that the names of the perſons to whom the ſame are granted, the ſummes therein contained, with the cauſe for which, and date thereof may be recorded by their Clerk, who ſhall be holden to doe the ſame gratis, And if the ſame be not recorded, or inſtruments taken upon the refuſall thereof within the ſpace foreſaid, the ſame are hereby declared to be Null, and to make no faith in all time thereafter. And it is further ordered, that one clauſe to this effect, be inſert in all Commiſsions or Warrants, diſcharges, or ſubſcrived accompts to be granted hereafter by the Generall Commiſſar, to any of the perſons foreſaid, and that the Generall Commiſſary with all conveniencie, cauſe intimate the foreſaid certification to ſuch as have already received their ſaid Commiſſion or Warrant.

ACT anent the Creditors of forefaulted perſons.

THE Eſtates of Parliament taking to their Conſi- 220
deration the ninth Act of the ſecond Seſſion of the third Parliament of Umquhyll King Charles of worthy memory dated the 20. of February, 1645. Intituled Anent the ſelling of the Lands of forefalted perſons, and eſpecially that clauſe thereof ordaining all perſons whatſomever, to whom any perſon already forefaulted before the date of the ſaid Act, or who ſhould happen to be forefaulted in that Seſsion of Parliament, was addebted juſtly and really in any ſummes of money, or any other wayes, either as principall debtors, or as cautioners for any other perſons, and als that all perſons who were cautioners for any perſons then already forefaulted, or who ſhould happen to be forefaulted in that Seſſion of Parliament, to their lawfull creditors, Should exhibit before the Committee of Eſtates their lawfull ſecurities whereby the ſaids perſons already forefaulted, or who ſhould happen to be forefaulted in that Seſſion of Parliament, were their juſt and reall debtors, either as principall debtors to them, or as debtors to them, as cautioners for other perſons, or whereby they were cautioners for the ſaids forefaulted perſons, or to have been forefaulted in that Seſsion of Parliament, and whilk cautioner they were obliged in law to releive, and the production of the foreſaids ſecurities be made by the creditors and cautioners, ſo many of them as were without the country within three months, and theſe that were within the country, within threeſcore dayes after publication of the ſaid Act at the head Burghs of the ſeverall Sheriffdomes within the Kingdome. And the ſaids Eſtates finding that doubts and queſtions hath riſen, and may ariſe among the Leiges upon the doubtſom conception and words of the ſaid clauſe, as if the meaning of the Eſtates of Parliament in the ſaid Act had been, that the creditors or cautioners foreſaids, who were without the Kingdome, had not been obliged to the production foreſaid, unleſſe the ſaid Act had been publiſhed at the head Burghs of the ſeverall Sheriffdoms within the Kingdom; Therefore for removing of all occaſions of doubts or ſcruples to the Lieges, The Eſtates of Parliament Declares, That the true meaning of the foreſaid Clauſe anent the Publication of the foreſaid Act at the head Burghs of the ſeverall Shires of the Kingdom was onely in

relation to the foreſaids Creditors and Cautioners being within the Kingdom dwelling within the ſaids ſeverall Shires reſpectivè and that the ſame had no relation to the Creditors or Cautioners foreſaids being without the Kingdom, and that the certification of the ſaid Act did and doth militate againſt ſuch of them as did not produce their Bands and Securities within three moneths after the Publication of the ſaid Act with the remanent Acts of the ſaid Parliament at the Mercat Croſſe of Edinburgh: And that the ſaids Creditors or Cautioners without the Kingdom could not, nor cannot pretend the not Publication of the ſaid Act at the ſaids ſeverall Croſſes of the head Burghs of the ſeverall Shires to free them from the certification of the ſaid Act, in reſpect of the not production of their ſecurities before the Committee of Eſtates within three months after the Publication of the ſaid Act; Reſerving always, Likeas the Eſtates of Parliament reſerves power to themſelves or to their Committee of Eſtates, to diſpenſe with the ſaid certification in favours of any of the Creditors or Cautioners for any of the foreſaids forefaulted Perſons, The Eſtates of the whilk forefaulted Perſons are yet in the publicks hands undiſpoſed upon, and to grant a new day if they or their Committee ſhall think expedient, to the ſaids Creditors and Cautioners, yet to produce their ſecurities foreſaids, providing that this reſervation be not extended to the Creditors nor Cautioners of the forefaulted perſons whoſe eſtates and livings are diſponed by the Publick to whatſomever perſon or perſons before the date hereof.

ACT anent Miniſters Stipends, Gleibs and Manſes.

221 THE Eſtates of Parliament now preſently conveened in this ſecond Seſſion of the ſecond Triennall Parliament, By vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening of the Parliament, Taking to their conſideration, That ſeverall Miniſters of the Goſpel are diſcouraged and diſtracted from their calling, ſome for want of competent Maintenance, ſome for want of legall ſecurity, And others for want of timous and thankfull payment of their ſtipends; And that within theſe few years by-gone, the value of money or rather the prices of every thing have been ſo exceedingly altered and heightned, that Stipends formerly provided for Miniſters do altogether prove ineffectuall for their Maintenance; For remedy whereof, the ſaid Eſtates having taken in conſideration the overtures preſented unto them by the Committee of Overtures, Do therefore Ordain all Parochines where victuall can conveniently be had, to pay to their ſeverall Miniſters out of the Teinds of the Paroches eight chalders victuall at leaſt of the meaſure mentioned in the Act of Parliament in Anno 1617 years; And where victuall cannot conveniently be had, That the ſaid Paroches pay to their Miniſters three chalders victuall, and money for the other five chalders victuall, which compleats the eight chalders victuals, the ſame not exceeding an hundred pound, nor being beneath an hundred Merks for each chalder of the ſaid five, to be ſo modified by the Commiſsioners appointed for Plantation of Kirks, And where Viccarage is paid to Miniſters, the ſame is to be allowed to them proportionably in part of their ſtipend of the quality and quantity aboveſpecified reſpectively, Ordaining alſo that all Miniſters Stipends which do not yet extend to the proportions in quantity and quality reſpectivè above expreſſed, ſhall be augmented to the ſaid eight chalders victuall where it can be had, or otherways to three chalders victuall, and the remanent in money in manner abovementioned, and that notwithſtanding of any former Augmentation; And in caſe Miniſters get not thankfull and timous payment of their ſtipends, at the day and times of payment appointed or to be appointed, or within fifteen days thereafter, That Heritors or Titulars one or more, or others appointed to pay the ſame, ſhall make payment to them of a fifth part more nor their ſtipends, without defalcation or modification by the Lords of Seſsion or any other Judges whatſomever, And that by and attour the expenſe of pley to be decerned by the Judges competent; And the Commiſsioners for Plantation of Kirks are hereby authorized and appointed to follow this preſent Rule ſet down in this Act in ſuch Paroches where the foreſaid Stipends can conveniently be had, And to judge and determine betwixt the Heritors who hath bought their Teynds or hath ſtanding Taks thereof; And the titulars or others having right to the Teynds which of them ſhall be lyable in payment of the foreſaid augmentation, and what proportion thereof ſhall be payed by every one of them, Declaring hereby to the effect Miniſters may have the more effectuall payment of their Stipends, and ready execution for the ſame, That it ſhall be lawfull to Miniſters in caſe of not thankfull payment of their ſtipends in manner aforeſaid, to poynd, appriſe and diſtrengie the readieſt moveable goods and geir upon the ground of any of the Lands belonging to the perſons deficient in payment of their Stipends, according to the portions addebted by them, which poynding and appriſing being done upon the ground of the Lands, and by honeſt ſworn men reſiding within the bounds of the Presbyterie ſhall be as ſufficient as if the ſame were done at the Mercat Croſſe of the head Burgh of the Shire where the Lands lies: And it is further Declared, that Miniſters Stipends, and the proviſions and Rents of Univerſities reſting owing for three years allanerly, ſhall affect the ground right of the lands of the perſons addebted in payment thereof, againſt Compriſers, or other ſingular ſucceſſors whatſoever. And becauſe not-

withſtanding former Acts of Parliament for providing Miniſters Manſes and Gleibes, yet divers Miniſters are not provided therewith, and others do not get their Manſes free at their entry; Therefore the ſaid Eſtates Statute and Ordain, That where competent Manſes are not already built, that the Heretours of the Paroch at the ſight of three Miniſters and three ruling-Elders to be appointed by the Presbyterie, build competent Manſes to their Miniſters, the coſt and expences thereof not exceeding one thouſand pounds, and not being beneath five hundreth Merks; And where competent Manſes are already built, the Heretors of the Paroch are hereby Ordained to relieve the preſent Miniſter and his Executors, & the intrant of all coſt, charges and expenſes for building and repairing of the Manſes, Declaring hereby, that the Manſes being once built and repaired, or the building and repairing thereof ſatisfied and payed by the Heritours in manner aforeſaid, that neither the Heritors nor the entrant ſhall be thereafter troubled for the ſame, but the ſaid Manſes ſhall be upholden in time of vacance of the Kirk by the Heritors and by the incumbent Miniſters during their poſſeſſion; And it is hereby appointed that Burghs, and the Heritors of the Landward parts of the Paroch provide alſo competent dwelling places and houſes for their Miniſters, the ſum not being above nor beneath the ſums above expreſſed: And in like manner it is Statute and Ordained that every Miniſter have a horſe and two kyes graſſe, and that by and attour his Gleib; And where Gleibs are far diſtant from the Manſes ſo that they cannot conveniently be laboured in reſpect of their diſtance from the Manſes, theſe Gleibs ſhall be changed, and new Gleibs deſigned more commodious and neerer to the Manſe, as good in quantity and quality as the former, the ſame being deſigned within a quarter of a mile at furtheſt from the Manſe, excepting always and exceeming villages and incorporate Akers lying neerer the Manſe then the old Gleibs which are not lyable to any deſignation of a Gleib or any part thereof; And the Eſtates give hereby power to the Commiſsion for Plantation of Kirks, to make and appoint the new Gleibs as good in quantity and quality as the former, and as is provided by Law, and to rectifie the ſame if they be not ſo, and to conſider and determine the relief of the burden of the Gleibs, horſe and kyes graſſe, deſigned to be gotten of the remanent Parochiners, the perſons liable thereunto every ones proportion thereof, and the way and manner of the payment of the ſame: And further, where leſſer Paroches lie neer to over great and large Paroches, It is declared, that ſome parts of the large Paroch may be taken and adjoyned to the ſmaller Paroch, that thereby both the charges may be made more proportionable, And the ſtipend of the Miniſter in the leſſer charge may be made competent and ſufficient, which is hereby recommended and preſented to the Commiſſion for plantation of kirks, authoriſing them with power for that effect, And the Eſtates Ordains Letters to be direct.

. . . . . .

ACT in favors of the Earl of Leven L. Gen. 222

. . . . . .

RECOMMENDATION of the Earl of Caithnes to the Laird Dumbeath. 223

. . . . . .

COMMISSION anent Alex. Wilkiſon Burgeſſe of Lawder. 224

. . . . . .

PASS granted to the Earl of Dumfermling. 225

. . . . . .

ACT in favours of M. James Wood Miniſter. 226

. . . . . .

RECOMMENDATION in favours of Sir James Hope anent the erection of a Kirk, to the Commiſſioners for plantation of Kirks. 227

. . . . . .

COMMISSION for trying of the loſſes of Bamff and Culloun. 228

. . . . . .

XV MARTII.

ACT annulling [certain commiſsions of Judicatory & of] new Sheriffships [Bailliaries & Regalities.]

THE Eſtates of Parliament now preſently conveened in the ſecond Seſsion of the ſecond Triennal Parliament, By vertue of an Act of the Committee of Eſtates, who had Power and authority from the laſt Parliament, for conveening the Parliament, Taking to their conſideration the manifold reaſons obligeing them to purge the Judicatories of this Kingdom, And conſidering the Commiſsion granted for the conſerving the Articles of the Treaty, And the ſame day by the thirty two Act, of the Commiſſion for regulating the common burdens by the twenty fourth Act, and the Commiſſion for plantation of Kirks by the thirty Act, January fourteen, And the Commiſſion granted by the Exchequer, the firſt day of February, 1645. yeares, Be the fift Act, and all other Acts of Parliament renewing or eſtabliſhing the foreſaids Commiſsions, or adding any perſons or clauſe thereto in any Seſsion of Parliament ſince; and withall, conſidering the manifold prejudices and evill conſequences of the late deſigne, to inſlave the Kingdom, or by many other means. So by the late new gifts, Heretable, or Liferent Sheriff-Ships, new Regalities, ſo farre contrary to the old Acts of Parliament, whereby they ſhould not be diſponed without ex- 229

preſſe advice and conſent of Parliament, and contrary to the will of the Kingdome, and our late Soveraign Lord his manifold Reſolutions and Declarations in favours of the Shires; Therefore, and for many other reaſons and conſiderations moving them, They do repeal, recall, and reſcind the foreſaid Commiſsion to the conſervers of the Peace, to the Commiſsioners for regulating the burdens, to the Commiſsioners for plantation of Kirks, to the Exchequer and Commiſsion for changing of Wairdholding, and all other Acts of Parliament or Councell, or Exchequer, renewing or eſtabliſhing any of the ſaids Commiſsions, or adding any perſons or clauſe thereto, and declares the ſame to be voyd and expired in all time comming, and diſcharges the perſons nominate therein, to ſit or act in any of the Judicatories, by vertue of the foreſaid Commiſsion unles theſe Commiſsions be renewed by the Parliament, and their names infert therein. Likeas they repeal, reſcind, and annul all Commiſsions or gifts of new Heretable or Life-rent Sheriff-ſhips, new heretable, or Life-rent Bailliaries, or Regalities granted of new by our late Soveraigne Lord ſince the Parliament, 1641 yeers, To any (except to ſuch as had them of before, and are free of the Claſſes) And diſcharges the receivers of theſe gifts to claime any Juriſdiction thereby over the Leiges, or make any uſe thereof hereafter, under pain of impriſonment of their perſons, and confiſcation of their Eſtates, as the Parliament or Committee of Eſtates ſhall think fitting, Likeas the Eſtates of Parliament diſcharges the Leiges after the Proclamation of this Act, To acknowledge or obey the courſe or orders of the foreſaids Sheriffes and Baylies, And appointeth the Sheriffes of theſe Shires, to be particularly nominate and ſetled in the ſame ordinary way, as they were before theſe pretended gifts and Commiſsions of new Heretable, or Life-rent Sheriff-ſhips, or Bailliaries.

ACT Commiſsion for reviſing the Lawes and Acts of Parliament.

230 THE Eſtates of Parliament now preſently conveened in this ſecond Seſsion of the ſecond Triennall Parliament, By vertue of an Act of the Committee of Eſtates, who had Power from the laſt Parliament for conveening the Parliament, Having taken to their conſideration, That for the Glory of God, the Weal of his Kirk, and the juſt and peaceable government of his Majeſties Leiges within this Kingdome, It is moſt neceſſary, that there be a conſtant, certain, and known Modell and frame of Law, according to equity and juſtice eſtablisht by publick authority, and publiſhed to all his Majeſties Leiges, And withall taking to their conſideration, that divers of his Majeſties progenitors, By Acts of Parliament, and by Commiſſions under the Great Seal of this Kingdome, Have given Warrants, Power, and Commiſsions to certain perſons therein nominated, for reviſing and conſidering the Lawes and Acts of Parliament of this Kingdome, as well Printed as un-printed; The old book of Law called Regiam Majeſtatem, and the cuſtomes and practiſes of the ſeverall Judicatories of this Kingdome, aſwell Civill as Criminall, and for gathering and collecting generall Lawes to have been perpetually and conſtantly eſtabliſhed for adminiſtration of Juſtice within the Kingdom, which Commiſsions did never take the wiſhed effect, partly by the over-great and important affaires of the Kingdom, and partly in regard of the reſpective incident troubles of the times; And the Eſtates of Parliament, being zealouſly deſirous for the Glory of God, for the Weal of the people, And for the furtherance of the adminiſtration of juſtice within this Kingdome; To have als farre as poſsibly may be, by the bleſsing of God, a perfect rule for adminiſtration of Juſtice, In all cauſes before all Judicatories, aſwell Civill as Criminall, eſtabliſhed by his Majeſties Authority, and by Authority of the Eſtates of Parliament of this Kingdome, Doe therefore give and grant full power and Commiſſion to the perſons following, viz. John Earl of Loudoun &c. L. Chancellor of this his Majeſties Kingdom of Scotland, Archbald Marquis of Argyle, Sir Archbald Johnſtone of Wariſtoun Clerk of Regiſter, Mr Thomas Nicholſon our Soveraign Lords Advocate, Sir Hew Campbell of Ceſnok, Sir George Maxwell of Nether-pollock, Mr. George Winrame of Libertoun, Sir James Hope of Sir George Haliburton of Fodderance Knight, John Dickſon of Hartrie, Sir James Stewart Proveſt of Edinburgh, Sir John Smith of Grottall, Mr. Robert Barclay Mr. Alexander Perſon Mr. Robert Bruce of Gellats, Mr. Rodger Mowat Advocate, Mr. James Dalrumple, Mr. Thomas Murray, and Mr. John Ellis Advocates, Mr. Robert Macgill. With Power to the foreſaids Commiſſioners or five of them to be their Quorum to appoint a Subcommittee of their number, not exceeding five as ſaid is, for preparing the whole materials to them who are conſtantly to attend and doe diligence therein, unto whom the ſaids Eſtates allowes per menſem to ilk one of them for their paines and attendance, with power alſo to the ſaids Commiſſioners to conveen in whatſomever places, and at whatſomever times, and how oft as they ſhall think fit, and to reviſe and conſider all the Lawes, Statutes and Acts of Parliament of this Kingdome, made and enacted at any time bygone, as well Printed as not Printed; And als to conſider all the conſuetudes and practiſes of the Kingdome, whilk have had the force of Lawes, and whilk have been received as practicks, aſwell in Criminall as in Civill Judicatories within this Kingdome, as well before the Lords of Seſſion, Juſtice Generall, Commiſſar, and Sheriffe Courts, or any other inferiour Judicatories within this Kingdom; And to that effect with power to the ſaids Commiſſioners,

and their Quorum foreſaid to cauſe be exhibited before them, by the Clerk of Regiſter, the Juſtice Clerk, Commiſſar Clerk, or any other Clerks of any ordinary Judicatories foreſaids, and their Deputes; All and whatſomever their Regiſters and Rolls containing the foreſaid Lawes and Acts of Parliament, aſwell Printed as unprinted, And alſo the Regiſters of all Sentences Interloquutors, or definitive before the Lords of Seſsion, Juſtice Generall, Commiſſar, or any other Judge ordinar within this Kingdome; Together with the old Regiſters of the [Book?] called Regiam Majeſtatem: To the effect that after due conſideration of the foreſaids Lawes, Acts of Parliament, Conſuetudes, and Practiſes, and mature and ſolid Conſultation and Deliberation had and taken thereupon by the foreſaids Commiſsioners, or their Quorum foreſaid, they may by their care, ſollicitude and induſtry collect, draw up, and compyle a formall modell and frame of a [Book?] of juſt and equitable Laws to be eſtabliſhed and authorized by his Majeſtie and Eſtates of Parliament for Government of the Lieges in time coming, and for adminiſtration of Juſtice to them in all the foreſaids Judicatories, to be reported by the ſaids Commiſsioners or their Quorum foreſaid to the Eſtates of Parliament with all diligence; Together with their opinion and judgement, concerning the abrogating of any by-gone Acts of Parliament, whilk are now of long time by-gone, gone in diſuetude, or whilk are ſuperfluous or unprofitable in time coming, To the effect that the Kings Majeſtie and the Eſtates of Parliament after the reviſing and conſidering of the report, and after they ſhall have found the ſame to be for the good of his Majeſties Lieges, may eſtabliſh the ſame as a perpetuall Law in all time coming.

COMMISSION for Plantation of Kirks.

231 THE Eſtates of Parliament now preſently conveened in this ſecond Seſsion of the ſecond Triennall Parliament by vertue of an Act of the Committee of Eſtates, who had power from the laſt Parliament for conveening the Parliament, Gives hereby full power granted in the Commiſſion for plantation of Kirks and valuation of Teynds in the 30. Act of the Parliament in the year 1641. And in the twenty fourth Act of the Parliament 1644. And in the 32. Act of the Parliament 1647, To the perſons after named, viz. For the Noblemen, John Earl of Lowdoun high Chancellour of this Realm of Scotland, Archibald Marquis of Argyle, John Earl of Sutherland, Alexander Earl of Eglintoun, John Earl of Caſsils, Francis Earl of Bucleuch, William Earl of Lothian, Alexander Earl of Leven, Archbald Lord Angus, Robert Viſcount of Arbuthnot, Allane Lord of Cathcart, William Lord Roſſe, John Lord Borthuik, John Lord Torphichen, John Lord Balmerino, Robert Lord Burleigh, James Lord Cowpar Balcarris, [John] Lord Kirkcudbright, Andro Lord Fraſer, Geo: Lord Forreſter, David Lord Elcho: For the Barons Dundas of that ilk, Sir John Wauchope of Nidrie, Sir David Home of Wedderburn, Sir Charles Erskine of Alveth Kt. Beatoun of Creich, Alex. Brodie of that ilk, Sir Alex. Belſches of Toftis, Sir Jo: Hope of Craighall Kt. Baronet, Arthur Erskine of Scottiſcraig, [George] Dundas of Dudingſton, Mr. John Dickſon of Busbie, Swintoun younger of that ilk [Sir William] Cunningham of Cunninghamheid, Sir Andro Ker of Greinheid, Sir Thomas Ker of Cavers [Sir Thomas] Ruthven of Freeland, Sir Robert Adair of Kinhilt, Arthur Forbes of Eight, Sir George Maxwell of Netherpollock, Sir James Fraſer of Bray, Robert Hepburne of Keith, Sir John Cheiſlie of Carſwall Knight, Sir James Hope, Sir James Hacket of Pitfirrain, John Shaw of Greinock, Sir Adam Hepburn of Humbie, Sir John Sinclair of Dumbeth, Andro Agnew apparand of Lochnaw Sheriff of Galloway. For the Burghs, Sir James Stewart Proveſt of Edinburgh, Alexander Jaffray Proveſt of Aberdeen, James Sword, Hugh Kennedy, John Sempell, Mr. Robert Barclay, George Gardene, William Glendoning, Mr. Alexander Dowglas, George Porterfield, Sir John Smith, Robert Lockhart, Thomas Bruce, Mr. Robert Cunningham, James Borthuik, Robert Davidſon, Mr. James Campbell, James Campbell, John Sleich, Gideon Jack, John Williamſon, James Rucheid, And the perſons following as ſupernumerary, Sir Archibald Johnſon Clerk Regiſter, Mr. Thomas Nicolſone his Majeſties Advocate, Sir William Scot of Clerkintoun, Sir Hugh Campbell of Ceſnok, Mr. George Winrahame of Libbertoun, and maſter Alexander Pierſon, Authorizing hereby the ſaids forenamed perſons or any eleven of them, three being of each Eſtate, With full power contained in the ſaid Commiſſions, conform to the ſaid ſeverall Acts in the years aforeſaids made thereanent als amply, fully and freely, as if the ſaids perſons had been named and inſert in the ſaid Commiſsion and Acts thereanent from the beginning, or as if the ſaid Commiſsion and Acts had been here repeated in the full Tenour and extent thereof, And the ſaid Commiſſion or Quorum thereof are to proceed in the matter concerning the Proviſion of Miniſters, according to the Overtures and the Anſwer of this Parliament given thereanent upon the fourteenth of this inſtant, With power alſo to them to Judge and determine finally in ſuch particulars as are referred to their Determination in the ſaid Anſwers or other references of this or any other Seſsion of Parliament, And Ordains the Clerk to be appointed by the Clerk Regiſter to have the truſt of keeping the Books and Regiſters of all the proceedings of this and former Commiſsions, to be forthcoming for the good and uſe of the Lieges, And this preſent Commiſſion to endure ay and while the ſame be diſcharged by the Parliament.

ACT anent Sope-works.

232 THE Eſtates of Parliament now preſently conveened in this ſecond Seſſion of this ſecond Triennall Parliament, Taking to their conſideration the great benefit this Kingdome had by making Sope within the country, and the prejudice whilk the decay of Sope-works hath occaſioned to the Kingdom, And it being incumbent to the Parliament to encourage all ſuch as are vertuouſly diſpoſed to maintain and advance all ſuch publick Works and Manufactories, as may tend to the good of the Common-wealth, Therefore the ſaids Eſtates declares all the Oyles, Aſhes, Veſſels, Tooles, and other ſimples and materials of whatſomever ſort, which the undertakers & maintainers of any Sope-works within this Kingdom, ſhall import by Sea or Land for the neceſſary & true uſe of the ſaid Sope-works, and for the maintaining thereof; Are and ſhall be exempted and free from payment of any Cuſtome, Exciſe, or other impoſition in all time comming. Likeas the ſaids Eſtates of Parliament diſcharges all Takſmen, Cuſtomers, and Collectors of the Cuſtomes and Exciſe preſent and to come, That they preſume not to exact any Cuſtome, Exciſe, or other impoſition for any of the ſaids materials hereafter to be imported by Sea or Land, for the proper and true uſe of the ſaids Sope-works, and for the maintaining and upholding thereof allanerly. And the ſaids Eſtates of Parliament diſcharges all former Acts and Warrants granted to any private perſons, giving them the ſole liberty of making Sope, And becauſe there are many other commodities brought home and imported under the pretext and colour of theſe commodities, which are onely made uſe of for making of Sope, which not being of that nature, may fruſtrate his Majeſty, and the Takſmen of his Cuſtomes, of the Cuſtomes due for theſe commodities; Therefore the ſaid Eſtates of Parliament declares that whatſoever guids or commodities are imported under pretext of materials for making of Sope, which truely are not of that nature, ſhall be confiſcate; And declares the ſame to fall under the compaſſe of the Acts of Parliament made thereanent.

ACT of Commiſsion for the Exchequer.

233 THE Eſtates of Parliament now preſently conveened in the ſecond Seſſion of this ſecond Triennall Parliament by vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening the Parliament, Conſidering how neceſſary it is for his Majeſties Intereſt, and eaſe of his Subjects, That a Commiſſion of Exchequer be granted to a certain number of Noble men, and others able and well qualified, by whoſe Care, Counſell and Advice, the managing and right government of his Majeſties Rents and Caſualties, may be ruled, guided, or ordered and directed; As alſo conſidering that for the good of his Majeſties ſervice, and the eaſe and ſatisfaction of his Subjects, They have made and conſtitute by an Act of this preſent Parliament, John Earle of Loudoun, Lord high Chancellour, Archbald Marqueſſe of Argyle, Alexander Earle of Eglingtoun, John Earle of Caſſils, Robert Lord Burghlie, and Sir Daniel Carmichael Treaſurer Depute, Commiſſioners for the Treaſury, Comptrollery, and Treaſury of his Majeſties new augmentations within this Kingdome, Therefore they doe hereby nominate, chooſe, and appoint Francis Earle of Bucleuch, Archbald Lord Angus, Robert Viſcount of Arbuthnet, David Lord Elcho James Lord Coupar, Sir David Hume of Wedderburn, Sir Hew Campbell of Ceſnock, Alexander Brodie of that ilk, Maſter George Winrahame of Libertoun, Sir Thomas Ruthven of Freeland, Sir William Cunningham of Cunninghamhead, Sir John Hope of Craighall Knight, Mr. Alexander Colvill of Blair, Sir James Stewart Proveſt of Edinburgh, Alexander Jaffray George Porterfield Proveſt of Glaſgow, Maſter Robert Barclay Proveſt of Irving, and Hew Kennedie Proveſt of Aire, by and attour all and every one of the Officers of Eſtate, or any foure of them, with any three of the Commiſſioners of the Treaſury to be a Quorum, Commiſsioners of Exchequer; And hereby renewes to them, and prorogates the Commiſsion formerly granted to the Exchequer upon the firſt day of February, 1645 yeers, and renued and prorogate upon the twenty fift of March, one thouſand ſix hundred and fourty ſeven, Excepting alwayes therefrom the power thereby given to them to grant right of any Patronages of Churches, and als excepting the power of granting remiſsion for the crimes of ſlaughter, and adultery, Excepting likewiſe therefrom the clauſe conceived in favours of Sir James Carmichael then Treaſurer Depute, without prejudice of any right competent to Sir Daniel Carmichael now Treaſurer Depute, whenſoever there ſhall be an high Treaſurer ſetled, and this preſent Commiſsion to endure till the next Seſsion of Parliament.

. . . . . .

ORDER to the Committee of Eſtates for appoynting one to draw in writt the Chronicles of the tymes. 234

. . . . . .

RATIFICATION of an Act of the Committee of Eſtates in favours of Sir John Weymes of Bogie. 235

. . . . . .

ACT in favours of the Laird of Brodie. 236

. . . . . .

237 ACT nominating Archbald Scot of Sintoun to be Rut-maſter of the Shyre of Selkirk in place of the L. of Stobs.

. . . . . .

238 ADDITION to the Committee of War of the Shyre of Linlithgow.

. . . . . .

239 ACT ordayning the General Commiſſar to be heard before payment be made of any ſummes of money.

. . . . . .

240 ACT appoynting the Laird of Allantoun younger to be Rutmaſter in place of George Lockhart.

. . . . . .

241 ACT in favours of Alexander Forbes of Auchintoull.

. . . . . .

242 ADDITIONALL Inſtructions to the Commiſſioners going for Holland to his Majeſty.

. . . . . .

243 LETTERS to the Kings Majeſty.

. . . . . .

244 ACT in favours of M. Roger Mowat.

. . . . . .

ACT in favours of Sir David Home of Wedderburne.

245 AT EDINBURGH the fyfteint day of March J^(m) vj^(c)^r fourtie nyne ȝeirs The eſtaites of parliament now p̃tlie conveined in the ſecund ſeſſioun of the ſecund trienniall parliament Having takin to þair conſidera^(c)un ane ſupplica^(c)un gevin in be Sr David Home of Wedderburne Makand mentioun That q^r he deburſit for the vſe of the publict employed for the Iriſh airmie in Marche 1643 as the warrands produced w^t the ſaid ſupplica^(c)un will teſtifie The ſowme of Twelff hundreth punds which now in march 1649 w^t the ãrentis ſince the delyverance of the money being ſex ȝeirs Extends to of all twa thowſand ſex hundreth and fourtie punds, And his pairt of Sr William Dickes Two hundreth thowſand Merk band Extending to Ane thowſand thrie hundreth threttie thrie punds ſex ſchillings aucht penneis verefied be the ſaid Sr Williames diſcharge wch w^t the ãrent ſince the payment at mertimes 1647 Extends to ane thowſand four hundreth and ſevintie punds or thairabout The wch twa ſowmes will extend to four thowſand ane hundreth and ten pund Humblie þfore craiving þat ſick ordour may be taking for his ſuirtie and payment as ſall be thocht fitt And þat he may be payit w^t the firſt of publict debtis or quhair he ſall find out ſum convenient way w^tout preiudice of the payment of the p̃t airmie As At mair lenth is contenit in the ſaid ſupplica^(c)un Q^(ll) being referit be the parliament to the comittie for comon burdeans to ſie the ſaid ſupplica^(c)un inſtructit and report þair opinion þ^(r)of And þai having fund the foirſaids ſowmes of money deburſit be the ſupplicant to be ſufficientlie inſtructit The ſaids eſtaittes of parliament hes ordanit and ordanes the foirſ^(d) ſowme of four thowſand ane hundreth and ten punds to be payit to the ſaid Sr David Home of Wedderburne knicht ſupplicant foirſaid And that out of the firſt moneyis to be receaved be the generall comiſſar or any vther way the ſaid Sir David ſall find out aither fynes or borrowit money w^(t)in the ſchyre of bervick but preiudice of the payment of the airmie

. . . . . .

ACT in favours of Thomas Glaidſtanes. 246

. . . . . .

ACT in favours of the L. of Buchanane. 247

. . . . . .

ACT in favours of Alex. Brodie of Lethein. 248

. . . . . .

ACT in favours of Coll. John Cockburne. 249

. . . . . .

ACT in favours of Alexander Forres. 250

. . . . . .

ACT in favours of M. Alexander Colvill of Blair Juſtice Depute. 251

. . . . . .

ACT and recommendation in favours of the Miniſters in the Presbyterie of Dunſe, anent the Parochin of Eckilis. 252

. . . . . .

ACT in favours of George Jameſon. 253

. . . . . .

COMMISSION to M. Robert Farquher. 254

. . . . . .

ACT in favours of M. Bernard Sanderſon Miniſter. 255

. . . . . .

ACT for the Committee of War at Dumfreis, anent certain Armes up-lifted by them. 256

. . . . . .

ACT anent certain debts contracted by the Shyre of Dumfreis. 257

. . . . . .

REFERENCE in favours of Andro Gray. 258

. . . . . .

259 ACT in favours of John Sempil.

. . . . . .

260 ACT in favours of John Denholme.

. . . . . .

261 ACT in favours of the Burgh of Dundie.

. . . . . .

262 ACT and Commiſſion anent James Pendor and others.

. . . . . .

263 ACT in favours of the town of Lanerk.

. . . . . .

264 RATIFICATION in favours of the principall Takſmen of the Kings Cuſtoms & Impoſts.

. . . . . .

265 ACT in favours of M. Will. Row Miniſter.

. . . . . .

266 ACT anent the confining of the Earl of Crawfurd-Lindſay.

. . . . . .

267 ACT electing the Earl of Caſſils to be Juſtice Generall.

. . . . . .

268 ACT electing the Sheriffs principals in the ſeverall Shyres.

. . . . . .

PROTESTATION Town of Cowper againſt the Earl of Rothes.

. . . . . .

269 ACT in favours of the Burgh of Pearth.

. . . . . .

270 WARRAND to the Commiſſioners direct to the Kings Majeſty for borrowing of moneys.

. . . . . .

271 ACT appointing of Sir Hew Campbell of Ceſnock to be Juſtice Clerk.

. . . . . .

272 ACT appointing Sir John Cheiſlie Maſter of Requeſts to his Majeſty.

. . . . . .

273 ACT and ratification in favours of the Lord Marquis of Argyle and Laird of Calder, concerning the lands of Yla and Kintyre, and exoneration.

. . . . . .

ACT of exemption in favours of L. of Buchanan. 274

. . . . . .

ACT in favours of Lievtenent John Muir. 275

. . . . . .

ACT in favours of Anna Campbell. 276

. . . . . .

[SUPPLICAᵒNE burᵗ of Craill

TO the honoᵗ and hie court of parliament The Supplicaᵒun of the baillies of ꝑe brugh of Craill for oureſelffis and in name and behalff of the remanent counſell and cōmunitie theroff

Humlie ſheweth

THAT oure preſent condiᵒun is ſo ſad and low, occaſioned, be the rageing of the peſtilence amonges ws the ſpace of Sex monethes frae the begining of Sepᵗ 1645. To the mids of Marche nixt ꝑefter and by the los of diverſ of oure men at aberdeine, alfoord, and elſquhair ſecundit with the los of fourſcore ten of oure choiſeſt men at Kilſyith and of diverſ of oure ſhipes ⁊ barkes periſhed and takin at ſea beſyd the great debt the cōmoun burdeines hes involvit ws In far beyond oure abilities That we ar neceſſitat to mak oure addreſſ to ȝoʳ ho / for ſupplie without the qᶜʰ we cannot longer ſubſiſt And quhairvnto ȝoʳ ho / ar Inveitit if ȝe ſall be pleaſit to conſider that tho we be bot a verie poore people haveing no meines to live vpoun bot quhat the ſea and oure Cōmerſ does affoord ȝea the moſt pairt of ws not a bitt of meat to put in oure bellies quhill the ſamyn be firſt gottin furth of the ſea frae qᶜʰ the peſtilence and troubles did debar ws So that a great many of oure families had ſtervit if oure neceſſities had not bein ſuppliet by the charitie of oure nighboring burghes all oure awin meines being ſpent ȝitt no ſooner did the lord remove his afflicting hand from ws bot alſ ſoone did the Cōmittie of fyif ſend a troup of hors vpoun ws quho wold not remove quhill we war forcit to borrow alſ much as to pay the mantenance Dew for the ſaidis Sex monethes of oure viſitatione howbeit vther burghes ſo viſitt war exeimit frae peyment of any mantenance dureing their viſitatioun which favour oure viſitatioun and povertie did then plead for And now calles vnto ȝoʳ ho / for redres And thairfoir It is humlie Supplicat That ȝoʳ ho / may be pleſit to tak the premiſſ to conſideraᵒun And evidence the ſamyn be granting ws ane exemptioun frae peyment of any mantenance and exciſe alreadie dew or quhilk ſall be dew be ws whill firſt we be thairby peyit of the foirſaidis ſex monethes mantenance wrangouſlie extortit from ws wherby we may have ſum teſtimony That ȝoʳ ho / ar ſenſible of oure miſerie and low condition anſrable to the lyk favoʳ grantit to vtheris without the qᶜʰ we cannot ſubſiſt or be enablit to diſchairge that dew-

tie q^ch oure intereſt in the publict does call for to oure great greife Whairanent we humelie attend go^r ho / favourable anſ^r

15 Martij 1649

The Eſtates of Parliament Haueing conſidered the ſupplica^ne w^in w^ttin They haue Recomendit ꝛ Recomendis the ſame to þe Comitties of Eſtates ꝛ moneys reẍue That they may tak þ^r ſaid condi^ne to conſidera^ne and have ſome eaſe of þ^r mantenance ꝛ excyſe]

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COMISSIONE Sr Charles Erſkene To be f^reſſe princ^ll of Stirling

277 AT EDINBURGH the fiftene day of Marche J^m vj^c fourtie nyne geir^ THE ESTATES of Parliament Taking to ther conſideratione That they be ther former act In this ſeſſione of Parliament of the eight of Marche inſtant Have repealled all cōmiſſiones or giftis of new here^ll or lyfrent f^reſhipes new here^ll or Lyfrent bailzieries or regalities, granted of new by our late Soverane Lord ſince the Parliament J^m vj^c fourtie ane, to any except ſuche as had them of befor, and ar frie of the claſſ, and diſcharged the receaver^ of thoiſe gift^ to clayme any Juriſdic^ne þ^rby over þe leidges or mak any vſe þ^rof heirefter vnder þe paynes contenit in the ſaid^ actes And appoynted þe f^reſſes of the ſchires to be particularlie noīat ꝛ ſatilled in the ſame ordinarie way As they wer befor thoiſe p̄dit gift^ and commiſſiones of new here^ll or lyfrent f^reſſchipes or Bailzieries as þe ſd act mair fullie proport^ AND NOW leaſt throw the vacancie of the ſaid^ places the leidges be fruſtrat of juſtice finding it expedient That þe ſd^ places be filled by able and qualified perſones ffit for the diſchairge þ^rof And alſ finding that by þe forſaid act the prin^ll f^reſſhip of Striviling is now vaickand And being ſufficientlie informed And haveing ſufficient proffe tryell ꝛ experience of the qualifica^ne ꝛ abilitie of Sr Charles Erſkene of Alveth To vndergoe and diſcharge the ſd charge THAIRFOIR thay haue nominat and appoyntit the ſd Sr Charles Erſkene To be f^reſſe prin^ll of the ſchyre of Striviling for þe ſpace of ane yeare to come from þe day ꝛ dait heirof And Gives and grant^ to him full power cōmiſſione ꝛ auc̄tie To exerce þe ſd place as f^reſſe prin^ll of Striviling w^t all hono^r^ dignities liberties fees, caſualities profeit^ ꝛ cōmodities apperteining ꝛ belonging þto Alſ frielie as any v̄þ^r prin^ll f^reſſe had þe ſame befor And to vplift þe fees profeit^ caſualities ꝛ dueties belonging to þe ſd place during þe ſd ſpace And alſ w^t power to him To nominat and appoynt deputes one or mae vnder him for diſcharge of þe ſd place ffor q^m he ſhalbe anſ^rable during þe ſpace forſaid

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XVI MARTII.

ACT of Commiſsion for the Treaſury.

THE Eſtates of Parliament now preſently con- 278
veened in this Second Seſsion of the ſecond Triennall Parliament, By vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening of the Parliament, Conſidering how neceſſary it is for the juſt ordering and directing the matter of Exchequer, and for ingathering and managing his Majeſties rents and caſualties for the good of his ſervice, and eaſe of his Subjects, that ſome faithfull and able perſons be choſen and elected to ſupply the place and office of Treaſurer principall. Therefore they do hereby make, nominate and conſtitute, John Earl of Lowdoun, Lord High Chancellor, Archbald Marqueſſe of Argyle, Alexander Earl of Eglingtoun, John Earl of Caſsils, Robert Lord Burghlie, Sir Daniel Carmichael Treaſurer Depute, his Majeſties Commiſsioners of Treaſury, Comptrollerie, and Treaſury of new augmentations; and hereby gives, Grants, and renewes to them or any three of them, the Power, Warrant, and Commiſsion formerly granted by the Act of Parliament, 17. Nov. 1641. to the Commiſsioners for Treaſury therein nominated, with the priviledges and caſualities therein contained, excepting therefrom the clauſe conceived in favours of Sir James Carmichael then Treaſurer Depute, and without prejudice of any right competent to Sir Daniel Carmichael now Treaſurer Depute, whenſoever there ſhall be an High Treaſurer ſettled, and this preſent Commiſsion to endure aye, and while it be recalled in Parliament.

ACT Salvo jure cujuſlibet.

THE Eſtates of Parliament now preſently con- 279
veened in this ſecond Seſsion of the ſecond Triennall Parliament by vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening the Parliament, Conſidering that in this preſent Seſſion of Parliament, there are ſome particular Acts, and Acts of Ratification, made in favours of particular perſons, which may be prejudiciall to the parties having Intereſt, and not heard: Albeit the meaning of the Eſtates at this time, as it was ever in all preceding Parliaments, That by no particular Act, or Act of Ratification granted to any particular perſon, any other partie ſhould be hurt or prejudged of their lawfull Rights and defences competent to them of the law; For remedy whereof it is Statute and Ordained, that no Ratification, or other particular Act whatſomever, made in favours of any particular perſon in this preſent Seſſion of Parliament, be prejudiciall to any other Parties, Rights, or Defences, competent to them of the law; but

that the faids particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes underſtood, Salvo jure cujuſlibet.

ACT continuing the Parliament to the 23. of May, 1649.

280 THE Eſtates of Parliament now preſently conveened in this ſecond Seſſion of the ſecond Triennall Parliament, By vertue of an Act of the Committee of Eſtates, who had Power and Authority from the laſt Parliament for conveening of the Parliament, Continues this preſent Parliament, and all matters belonging thereto, (which are not committed or remitted reſpective to the Committee of Eſtates of Parliament, or to other Commiſsioners of Parliament, or to the Lords of Seſsion) while the twenty third day of May next to come, at the which day Ordains the whole Eſtates to be preſent to attend at Edinburgh, or where it ſhall happen the Committee of Eſtates foreſaid or Quorum thereof to appoint, And Ordains the whole Acts and Statutes made and concluded in this Seſsion of Parliament, To ſtand and have the force and ſtrength of Acts of Parliament, conform to the Tenours thereof, ſiclike as any Acts and Statutes of any preceding Parliaments in any time bygone, And alſo the Eſtates of Parliament Ordains the Lords of Seſsion, to conveen and ſit down in Seſsion for adminiſtration of juſtice to the Leiges, the firſt day of June next to come, and to continue in the exerciſe thereof, at the ordinary time appointed for ſitting of Seſsion; And Ordains publick Proclamation to be made hereof at the Mercat Croſſe of Edinburgh, by ſound of Trumpet, that none pretend ignorance thereof, either for attending the Parliament at the day above mentioned, or the down-ſitting of the Seſsion.

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281 ACT ordaining the Commiſſioners of Aberdeen to ſit and adminiſter juſtice within the Burgh of Aberdeen.

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282 ACT of Approbation and Exoneration to Colonel Robert Montgomery.

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283 ACT anent John Rowan his delivery of the Signet.

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284 ACT anent John Leirmonth his delivery of the Privy Seale, and the Earle of Sutherland accepting thereof.

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285 ACT in favours of Sir Alexander Hamilton, and Sir James Fraſer of Brae.

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ACT in favours of the Marquis of Argyle. 286

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COMMISSION for viſiting the Univerſity of Glaſgow. 287

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ACT and Declaration anent Lodovicke Gordon. 288

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ACT and reference in favours of Lieutenant Colonel Menzies. 289

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EXEMPTION to the Viſcount of Arbuthnet of this preſent levy. 290

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ACT in favours of Major Thomas Weir and his Pupils. 291

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ACT in favours of Mr. Robert Barclay. 292

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ACT in favours of Sir Thomas Ruthven of Freeland. 293

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RATIFICATION in favours of Mr. Alexander Cairden Miniſter. 294

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ACT in favours of Sir William Cunningham of Cunningham-heid. 295

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ACT in favours of Mary Drummond. 296

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ACT anent the doom given againſt the late Marqueſſe of Huntly. 297

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ACT in favours of the Laird of Dudingſton. 298

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ACT in favours of the Burgh of Tayne. 299

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REFERENCE to the Sheriffe of Edinburgh anent Mr. James Urquhart Miniſter. 300

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COMMISSION anent the Lord of Morphie, and the Bairnes of umquhyl Mr. James Sibet. 301

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ACT in favours of Mr. Thomas Henderſon. 302

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ACT in favours of John Dickson of Hairtrie. 303

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304 ACT in favors of the Earl of Kinghorn, &c.

305 ACT anent the Earle of Kinghorne and others.

306 ACT for dividing the Shire of Roſse from the Shire of Inuernes.

307 TAK of the Excife to the Lord Marqueſſe of Argyle, and Sir William Dick.

308 ACT in favours of Captain Hall.

309 ACT in favours of the Earl of Kinghorne, the Counteſſe of Kinghorne his Mother, and the Earle of Panmure.

310 ACT in favours of James Monorgand.

311 ACT in favours of Robert Adaire of Kinhilt.

312 REMIT in favours of the Laird of Glenkindie.

313 ACT in favors of Mr. Ja. Campbell of Moy.

314 ACT in favours of ſundry Miniſters in the Shires of Aberdeen and Bamff, anent their ſtipends.

315 ACT in favours of Barbara Mein.

316 ACT in favours of the Burgh of Dundee.

317 ACT in favours of James Lord Coupar.

318 ACT in favours of the Laird of Minto.

319 ACT in favours of Evan Tyler.

320 ACT in favours of the Laird of Glenkindie.

321 ACT in favours of Jeane Edmeſton.

322 ACT in favours of the Town of S. Andrews.

ACT in favours of Margaret Levingſton. 323

RECOMMENDATION in favours of the Preſbytery of Aberdeen, to the Commiſſioners for plantation of Kirks. 324

ACT and Decreet in favours of Sir John Brown of Fordell. 325

ACT anent the tranſportation of the Kirk of Dunſcoire. 326

REFERENCE Sir Lodovick Gordoun of Gordonſton to the Exchequer for reparation of his loſſe. 327

ACT in favours of Jean Cockburn relict of Vmquhyll David Scrymgeor. 328

ACT in favours of Alex. Forreſt Maiſſer. 329

ACT in favors of the Laird of Grenok. 330

ACT in favours of Mr. Patrick Pitcairn. 331

COMMISSION Walter Leſley of Gedloche. 332

ACT in favours of the Town of Lanerick anent the contribution for building of a brig over the water of Clyde. 333

ACT in favours of Donald Camrone. 334

ACT in favours of the creditors of Weſtnisbet. 335

REMIT Shire of Caithnes to the next Seſſion of Parliament. 336

ACT in favours of Robert Maſterton Merchant Burges of Edinburgh. 337

ACT in favours of William Tweidie. 338

ACT in favours of the Earl of Sutherland. 339

340 REMIT Paroch and Town of Lanerick.

341 ACT in favours of Robert Mathewſon.

342 ACT and precept in favours of Major Thomas Weire.

343 ACT in favours of the Laird of Maccleod.

344 COMMISSION to the Laird of Eight for Intromiſsion with the Papiſts rents.

345 ACT in favours of Sir Charles Erskine.

346 ACT in favours of John Hamilton Apothecary.

347 ACT exeeming the Laird of Buchanan's lands from the preſent levy.

348 ACT in favours of Sir William Scot of Clerkingtoun.

349 ACT in favours of Mr. Laurence Scot.

350 ACT in favours of Sir James Hope anent his lead-work, and workmen.

351 ACT in favours of Sir James Hope for repayment of 100. l. Sterling.

352 ACT and Warrant in favour of Sir William Dick anent Suſpenſions.

353 ACT in favours of Barbara Johnſton, Lady Blackwood.

354 ACT in favours of James Monteith, Pewterer.

355 REMIT in favours of Colonel Walden.

356 ACT where the Marqueſſe of Argyle, the Lord Burghlie, and Sir Daniel Carmichael made faith de fideli adminiſtratione, as Commiſsioners for the Treaſury.

357 ACT where Mr. Robert Bruce of Gellats, Mr. Alexander Perſon, and Mr. Robert Macgill, made faith de fideli adminiſtratione, as Lords of Seſsion.

358 ORDER for John Dickson of Hairtrie to deliver the Keyes of the Caſtle of Edinburgh, where the Regiſters lies, to the Clerk-Regiſter.

359 ACT for filling up places of Privy Councell, and where Mr. Thomas Nicholſon, and the Provoſt of Edinburgh made faith as Privy Councellours.

360 ACT Ordaining thoſe who falls not under the compaſſe of the Claſſes, to be preferred in payment to theſe who falls under the compaſſe of the ſaid Act.

361 COMMISSION renewed concerning the affaires of the houſe of Roſſe.

362 WARRANT to the Committee of Eſtates to publiſh the Act anent the ſin of Inceſt, after conference with the Commiſsioners of the Generall Aſſembly.

363 ACT of Election of certain Privy Councellours.

364 WARRANT to the Committee of Eſtates to diſcuſſe the ſupplications not diſcuſſed in Parliament.

365 INSTRUMENTS taken by Scottiſcraig anent the redelivery of the Honours.

366 ACT for Publiſhing and Printing publick Acts.

367 ACT in favours of the Countes of Merſhell.

368 ACT in favours of Sir James Stewart Generall Commiſſar.

369 RATIFICATION in favours of Will. Short.

370 RATIFICATION in favours of Sir James Stewart of his gift of the offices of Generall Commiſſary Collector of the maintenance and Treaſurer of the Exciſe.

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371 RATIFICATION in favours of Sir Archbald Johnſton of Warriſtoun Knight, Clerk of Regiſter anent his penſions.

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372 RATIFICATION in favours of the Lord Chancellour anent the Sheriff-ſhip of Aire and Bailȝiary of Kil-ſtewart.

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373 RATIFICATION in favours of Maſter Adam Brown Miniſter.

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374 RATIFICATION in favours of Mr. Thomas Murray and Mr. Patrick Pitcairn.

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375 RATIFICATION in favours of James Ruched Merchant.

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376 RATIFICATION in favours of the Marqueſſe of Argyle.

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377 RATIFICATION in favours of the Burgh of Inuerary.

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378 RATIFICATION in favours of the Lord Chancellour and his Son.

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379 RATIFICATION in favours of the Lord Chancellour anent the yeerly penſion of a thouſand pound ſterling.

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380 RATIFICATION in favours of Sir Alexander Hope.

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381 RATIFICATION in favors of John Buchanan.

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382 RATIFICATION in favours of Robert Pringill of Stichell, of the lands of Weſter-Gordoun called Greinknow.

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383 THREE Ratifications in favours of the Town of Edinburgh.

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[SUPPLICAᴼNE of Katherine Buchannane

WNTO the high and Honoᵇˡᵉ Court off parliment, The ſupplication off Cathriene Buchanan, The Ladie Rearis younger

Humbly Sheweth

THAT wheareas my vmqhille huſband was kilde in the publicke ſervice, At that vnhapie ffield of Tipper-Moore, And that ever ſince I have beene wronged by my ffather in Law Robert fforbus off Rearis, who everie yeare detaines ſome off that proportion he is tyed to give mee by Contract of Mariage: And I ſtill hopeing to have gained his ffavour by ffairnes, and in ane ffriendlie way w'out complaint: Like as I cauſed my Brother in Law, The Laird of ſcotiſcraige write ane Letter to him; Deſireing him in a ffaire way to pay mee, this yeares rent ffor ſupplying the preſent Neceſſitie of my ſelfe and Children which he delayed to. give ane anſweare to, Till w'in this two dayes, Thinkeing thereby the parlm̃t ſhould cloſe beffore I got opurtunitie to complaine: And I ffeareing the troubles of the tyme would ffruſtrate mee off the Juſt ſentence of the Judge ordinare If I should charge him vppon my Contract of Mariadge, he might ſuſpend: Therefore I humblie deſire yoʳ Loꝑs to interpoſe yoʳ Authoritie, that he get no ſuſpension, wherethrow I and my poore children may be redacted to great extreamitie, And Yoʳ Loꝑs Anſweare humbly I deſire &c.

16 Martij 1649

Remittᵗ to ꝑe cōmittee of eſtaittᵗ w' pouer to thame to determine

LOUDOUN . Canᵗʳius
I. P. D. P.]

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[SUPPLICATIONE for Johne Lindeſay of Edȝell for exempᵒun of mantenance

WNTO the Right hoñable The Eſtaites of Parliᵃ humblie meanes and ſchawes I your lo / ſervitoʳ Johnne Lindeſey of Edȝell That wheras during the late troubles and invaſione of this kingdome by James grahame for my conſtant affectione and adherence to the common cauſe In defence of religione and Countrey The army of Rebellᵗ wer for a' long tyme encamped and quartered vpon the Lands of edȝell and glenaſk to the vtter ruin and deſtruction of my Lands and tennentᵗ in ſo farre as the wholle cornes wer brunt in the barne ȝardes and the whole ſtore of cattell and guides wer killed or driven away wherby the haill Lands of Glenaſk which wer worth of yeirlie revenew nyne thouſand merkᵗ haue ever ſtill beine lying waſt be reaſon the tennentᵗ have not beine able to labour the

ſame In ſo much that the particular accompt of my loſſ which was cleirlie inſtructit to the Committee of Common burdens did amount to the ſowme of foureſcore thouſand merkꝭ or therby And that by and attour the great charges and expenſſ qᶜʰ I have hithertoe beine forced to ſuſteine for menteining thrie ſeverall garriſons for a long tyme to defend my tennentꝭ wheroff many in ther owen defence wer moſt cruellie and barbarouſlie killed, as likwiſe ever ſince a conſtant guard of fourty men for defending my lands and tennentꝭ from the daylie incurſiones of enemyes and robberꝭ The conſideraᵒune wheroff moved the Committee of eſtaites to exime me from payᵗ of mentenance ſeing ther owen deficulties did hinder them from giveing further ſatiſfactione for my heavie loſſ HEIRFORE I humblie beſeek yoʳ lo / to take the premiſſ vnto your ſerious ꝓſideratione And in reſpect that hithertoe I have never reſavitt from the publick any ſatiſfactione of my great burdens and loſſ yoʳ lo / will be pleaſed to ratifie and approve the act of the Committee of eſtaites grantit in my favoʳꝭ and to declare and continew my exemptione from paying of mentenance vntill ſuche tyme that I be ſomewayes releeved of my loſſes And my lands and tennents be able to pay ther dewties As likwiſe that your lo / will be pleaſed to frie me and my tennentꝭ from putting out of any hors or foot In this new levie and expeditione In reſpect of our great ſufferings and vnabilities And I ſhall be ſtill readie to continew my endevoʳꝭ for the advancement of yoʳ lo / ſervice and welfare And yoʳ lo / anſʳ humblie I expect

At edʳ þe 16 of march ãno 1649

The eſtaittis of pliãt pũtlie ꝓvenit in the ſecound ſeſſioune of þe 2 trienneill pliãt Haveing hard þe ſuplicaᵒun wᵗin wᵗin ꝛ deſyre thairoff They haue remittit ꝛ remitts the ſamyein to the ꝓittie of eſtaittis To be ꝓſidderit be them As they ſall think fitt ꝛ expedient ꝛ according to þe good deſervingis of [the] ſuplicant

A JHONSTON Cls Reg̃ri]

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[SUPPLICAᵒNE of Harie Elphingſtoune

THE humble petition off harie Elphinſtoune of Caderhall

HARIE Elphinſtoune off Caderhall, in the 39 ȝeir off god having lent to the Erle off Rothes, my Lord Lindſay and the lord balmerino, the ſoume off tuintie fyve hunder Mark, as ane privat band, qᵘᵏ band is declarit ſinc by them to haue bein imployit for the vſ off the publict, So þᵗ the fᵈ complinar is fruſtrat off his band and annualrent therfoir. As alſo the fd Harie hes payit tuo thouſand Mark, as ane pairt laid vpon him as ane ſubſcryver off the tuo hunder thouſand Mark band barruit from Sir Villiam Dick. Therfoir humblie deſyris þᵗ I may be recõmẽdit to the Cõmitti off munneis, and to ſic barruit monyis as I ſall find out, that I may be payit off my prinſpall and anualrentis qᵘᵏ ar juſtlie auchtin to me, and ȝour viſd. anſuer.

16 Marche 1649

The Parᵗ remittis the ſupplicaᵒun abonewrettin ꝛ deſyre þʳof to the comitte of moneyes To tak ſome effectuall courſ for payᵗ making to the ſupplicant

LOUDOUN . Canᵘrius
I P D P]

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[SUPPLICAᵒNE of Margaret Heriot

THE Humble ſupplicaᵒun of Marᵗ heriott relict of vmqᵘ Thomas ogilbie of that ilk To the high court of parliaᵗ

SCHEWETH that the petitioner was in the moneth of februar 1614 ȝeirs dewlie and laũlie [infeft] be right chartor and ſaiſine proceiding from hir ſaid vmqᵘ huſband In all and haill the landꝭ and baronie of ogilbie as my writtis bears Notwithſtanding qᵗof the petitioners vmqᵘ huſband diſponit the ſaidꝭ landis herẽlie and irredimablie within the worth To vmqᵘ Sir William Graham of claverhous the landis of Bakello to whom William grahame of claverhous is oy and air and hereto̊ now of the ſaidis Landis to David grahame of ſentrie the landis of Lumlathyn who diſponit the ſamyn to Mʳ James grahame of monorgone now hereto̊ þʳof To vmqᵘ George broun the landis of pittreuchie qᵘᵏ pertins now to James broun his ſone and air. To vmqᵘ Alexander thorntoun of blacknes the landis of ſofartie who diſponit the ſamyn To Alexʳ thorntoun his [ ] now hereto̊ þʳof Item to Archibald Marqueis of douglas the landꝭ of Carie Cordine Hatton And brodwill who diſponit the ſamyn to his ſone Archibald Erle of Angus who diſponit the ſamyn To Sir John broun of fordell knight Andro pitcairne of Inuernethie Andro Weymes of Hattoun And david Balvaird According to thair ſeverall proportions, And my ſaid vmqᵘ huſband haveand deceaſt in the moneth of November 1647 ȝeirs The petitioners right than becam in force ſwa far as concerns hir conjunctfie and Lyferent qʳvpon I have vſed wairningis raiſed ſumondꝭ and vther diligence againſt the foirnamit perſouns now heretoʳᵉ of the ſaidis Landis and baronie of ogilbie provydit to me in conjunctfie And alſ againſt the tenentis and poſſeſſoʳꝭ thairof But in reſpect of the not fitting of the ſeſſioun can gett no proces qʳby And be the holding of me from poſſeſſioun am redacted to greit neceſſitie haveing no means quhairvpon to ſuſtein my ſelff and fatherles children And in that reſpect am neceſſitat to have recourſe to your Lo / HEIR-

FOIR I moſt humblie beſeik yor Lo / To tak my preſent condition to your Lo / ſerious conſideration And in the mean tyme grant warrant heirby to ane Meſſ^r of armes To pas and wairne the haill foirnamit perſons hereto^rꝰ of the ſaidis landis To compeir befoir the ſaid high court of parliament or cōmittee thairof at ane certaine day To heir and ſie ſic courſe takin anent this pñt ſupplication as yor Lo / ſall think moſt fitting And that I may be either poſſeſt conforme to my rightis or ane modificatione grantit for ſupplie of my preſent neceſſitie And yor Lo / Anſ^re

12 marche 1649

The comitte appoyntis Jhone dickſoun to conſider this ſupplica^oun defenſß ꝛt anſ^r þ^rto.

IT is repreſented to þe cōmittie of billꝰ That the defence for þe defender Is That this matter is onlie competent to þe Lordꝰ of ſeſſion and that þe ſupplicantꝰ ry^t and infeſtment Is baß and null being the deid of þe huſband to the wyfe ſtante matrimonio and never apprehending poſſeſſion bot revoket by granting þe defenderꝰ ry^t

THE ſuplicantꝰ anſ^r Is that hir huſbandꝰ poſeſſion was hir poſeſſion 2, It is not revokit bot confermit be hir huſbandis death 3 the huſband having vrgit hir to ꝯſent to his aliena^oune of hir conjunctfie landꝰ This ſubſequent right cums in place þ^rof to þe ſuplicant It ſeems the ſuplicantꝰ neceſſitie w^t hir ry^t q^lk cums in place of hir infeſtment vpon hir ꝯtract of mariage Is to be ſo tane in conſidera^oune as that it may ſtand valeid to hir at leiſt for ane modifica^oune to hir and hir children for þ^r ſubſiſtence ſeing þ^r is no expreß revoca^oune þ^rof be þe huſband And Inreſpect of hir and hir childrens neceſſitie That þe parlia^t wald determine þe buſſines

16 marche 1649

The Eſtaittes of par^t remittis the ſupplica^oun and repoirt w^tin and abone wrettin to the cōmittie of eſtaittes And ordaines Monorgon in the mean tyme To pay to the ſupplicant for hir preſent ſubſiſtance The ſowme of Twa hundreth pundis ſcottis

LOUDOUN · Can^ttrius
I P D P]

. . . . . .

[SUPPLICA^ONE of W^m ſandelandꝰ of hilderſtone

VNTO the honōll eſtaittis of Parliament The humble petitioune of M^r W^m ſandielandis of hilderſtone

Schewing That whair in affectioune to þe guid caus and for the publict neceſſitie I your ſupplicant did len willinglie in apryill 1648 for your publict ſervice in Ireland The ſowme of Twa thowſand m̃kis money HEIRFORE I humblie beſeik your lo / to tak ſome effectuall Cours for payment to me of the ſaid priñll ſowme and bygane ãlrentꝰ thairof and to recomend me to þe cōmittee of moneyis for my ſatiſfactioune And your lo / anſ^r

16 marche 1649

The par^t remittis the ſupplica^oun abonewrettin and deſyre þ^rof To the comitte of moneyes To tak ſome effectuall courß for pay^t making to the ſupplicant

LOUDOUN · Can^ttrius
I P D P]

. . . . . .

[SUPPLICATIOUN ffor Robert Arbuthnot off Findowrie for exemp^oun from mantenance ꝛt Leavies

WNTO the honorabill and heighe Cowrte off Parliament, The humble Supplicatione of Robert Arbuthnot of fyndowrie

Shewithe

THAT Quhairas I being one, of a meane fortowne, dwelling within the S^refdome of Angowſs, And willinge to carie my ſelf in ane conſcientius way, for keiping the Othe, and Cowenante, I was maid ane Marke for the malice of the Commowne enemies, of this kirk, and kingdome, and ſynglit owt, in ane wholle ſhyre, to bear the burdinge of all, that athair thair Policie could plotte, or fwrie execute, for James Grahame with his Tratarous Creawe of Iriſhes hawing lyine, ten dayes in Brechein, and thairabowt, plunderit bothe my houſses of fyndowrie and brechein, and takine away my haill cattell horſs and ſheip, On the 27 day of Merche 1645 ȝeirs, befoir his removall frome Brecheine, he cauſit bwrne my haill houſes and corns thair, and Immediatlie thairefter, marchit in the weiw of owr haill armie, to my wther houſs of fyndawrie and brunt the haill houſes and corns, and killit thrie of my ſ^rvandꝰ ſo that thair was nathair houſs nor goods (abowe the grownd,) left to me wndiſtroyit, Quhairof manie of this honorabill houſs war eie witneſses and can bear record of my ſufferings, The Loſses thairof being walowit, and regiſtrat, ar fwnd to be abowe Twentie Thowſand markes, And thairefter in the moneth of Junij; in that ſame ȝeir of god, I was wiolentlie takine priſoner, be James Erll of Airlie, and Sr Dawid Ogiluie, his ſone, my haill horß and moneyes takine from me and detainit, till the Leiwtennent generall Dawid Leſlie, did releaſs me in october thairefter, And all thais my ſewerall, and ſingular, ſufferings (by wnnaturall Cowntriemen) war caſt wpone me, for my ſincear and Inviolabill affectione, to the cauſs and Covenant, Quhairin (by gods aſſiſtance) I ſall Continowe, And nathair thais

loſſes, nor ſufferings ſall mak me (ſo wntymmouſlie) crawe athair ſowms or ſubſiſtence from this honorabill houſs, My humble ſupplicatione onlie ſall be, that as I hawe borne the marks of the enemies malice, So I may fynd the effects of yor / Lo / ſawours, in exeiming thais Brunt and waiſtit lands of myne from the payment of Mantinance, and puting foorthe of horſ and foot, for this preſent Leawie, be reaſſone of my Inabilitie to pay the ſamine, quhairby yor / Lo / ſall frie me from being the ſubject of my enemies ſcorne, and the object of my freinds pitie And yor / Lo / Anſr

Att edr the 16 marche āno 1649

The eſtaittis of pliāt now pñtlie ꝓvenit in the 2 ſeſſioune of þe ſecund trienniell pliāt haueing hard the ſupne abonewin They haue remitted t remittis the deſyre þrof Togidder wt the great ſufferingis ſuſtenit be the ſupplicant t his guid deſerving To the conſiddera°un of the comittie of eſtaittis

A JHONSTON Cis Regri]

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[SUPPLICA°NE of the Comiſſionarꝭ of Wigtoune and Kirkcudbryt

THE humble ſupplication of the Comiſſioners of Wigtoune and Stwartrie of Kirkubrie To the honorable Eſtats of parliament

HUMBLIE ſheweth that beſyde the great and extraordinarie burdines and charge the ſaid ſhiradome and ſtuartrie heath ſuſteined by reaſon of ther vnwillingnes to Joyne in the Leat vnlawfull ingadgment in leavies, ceſments, quarterings plunderings and vþr loſſes, extending to exceiding great ſoumes as by the particulers ſhall be inſtructed And that the affection of the ſaid ſhyrdome and ſtwartrie being alwayes knowne to have beine conſtant in the cauſe and covenant Theſe who had then the power and government looking on them as enimies to ther courſe did for the diſabling and farther ſuppreſſing of them, cauſe theſe forces commanded by George Munroe quch com from Irland land in þe vtmoſt pairts of that province and march through for the lenth of ſixtie mylles to Ingland, and to quarter and exact att will and pleaſure. Soe that in ther ſtaying and marching which conteinued two munthes, the quarterings, plunderings, t the great ſoumes of munyes exacted by them att will and pleaſure extending to great and vaſt ſoumes, as ſhall be inſtructed. The ſaid Countrie being therby alltogither impoveriſhed many Lands and families laid waſt ruined t ſpoyled, the wholl heritores diſabled, having receved litell or noe rents theſe twelfe munthes paſt or are lyke to doe in heaſt by reaſone of the great wantt and extremitie the tenants are redacted vnto THERFOIR humblie deſyres yor Lordſhipes wold be pleaſed to take ther great ſufferings and loſſes to conſideration Ther condition being ſingular, and to afford ſuch relife As to yor wiſdomes ſhall thinke fitt, That theſe parts may be inabled to ſubſiſt, and þe better incuraged to conteinue in giving teſtimonie of ther ꝓſtant affection

12 febrij 1649

The Comittee Gives power to the L / Grenok and Johne forbes to ſight and conſider the inſtructiones of the ſupplica°ne and report

ARBUTHNOT I. P. D. Com.

16 marche 1649

The Eſtaittes Remittis the ſupplica°un abone wrettin t deſyre þrof to the comitte of eſtaittes And Ordaines ane comiſſioun to be granted ffor traying of the loſſ To ſick perſounes as the ſupplicantis ſall geive In

LOUDOUN . Canrius
I. P. D. P.]

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[NOTE of the Burghes Royall to be added to þe act anēt the erectiones

IT wer fitt, That ane exceptioun wer maid from the act Anent the ſuperiorities of erectioune Off all Tempill Lands t tenementꝭ Lyand within brughes t haill territories thairof, or any of thair ſubvrbs of the qlk they ar ſuperiorꝭ, And als of all vther lands t tenementꝭ Lyand Naturally t Locally win þe territories t Liberties of þe ſaid brughes or þr ſuburbs qlk perteined to qtſumever benefices great or ſmall within this kingdome The ſuperiors of wch Lands t tenementꝭ the ſaidꝭ Eſtaitꝭ of parliament excepts from the ſaid act As alſ diſſolvis the ſamyne from þe Croun t patrimonie thairof notwtſtanding of qtſumever preceiding acts of parliament t Vnite t Incorporate the ſuperioritie of þe ſaids Lands t tenementꝭ To þe Patrimonies of the brughes reſpective qr þe ſamyne Lyis, And for þr farder ſecuritie þrof willꝭ t ordanis þe Lordꝭ of exchecker To pas t exped ſignatures þrof to þe ſaid brughes reſpective qr þe ſamyne lyis as ſaid Is quhen they ſall deſyr þe ſamyn

16 martij 1649

The eſtaittis of pliament Remittis this paper to þe next ſeſſione of pliament then to be takin be thame to conſidera°une

LOUDOUN Canrius
I P D P]

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Apud Edinburgh,

XXIII DIE MAII, A. D. M,DC,XLIX.

IN THE THIRD SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith Holden at Edinburgh and begun the twenty third of May 1649.

XXIII MAII.

ACT nominating the Earl of Lowdoun Lord Chanceller, Prefident of this Seſsion of Parliament.

1 THE Eſtates of Parliament now preſently conveened in this third ſeſſion of the ſecond Triennall Parliament, Taking to their conſideration the Fiftie Act of the Kings Majeſties ſecond Parliament, Holden at Edinburgh, in Anno 1641. Intituled, Act anent the Election of the Preſident of Parliament, Together with the forty two Act of the laſt Seſſion of the Firſt Triennall Parliament, of the Date, At Edinburgh the Twentie ſeventh of March 1647. Intituled, Act anent the Election of a Preſident of Parliament, for ilk Seſſion of Parliament, explaining the former act, concerning the time of endurance of the Preſident of Parliament; And according hereunto John Earle of Lowdoun High Chancellour of Scotland, Preſident of the laſt Parliament, Having Miniſtred the oath of Parliament to the whole Members of Parliament preſent, and repreſented to them the two Acts of Parliament abovementioned, which were read in audience of Parliament; The ſaids Eſtates of Parliament after voycing, did elect and choyſe the ſaid John Earle of Lowdoun High Chancellour of Scotland To be preſident of this ſeſſion of Parliament, And to precede thereinto as Preſident of Parliament during this ſeſſion of Parliament, And while the taking of the oath of Parliament, and election of another Preſident in the next Seſſion of Parliament, Conform to the foreſaid fourtie two Act of Parliament, of the 27. of March, the year 1647.

ACT Continuing the Committees of war in the ſeverall Shires untill they be of new elected.

2 THE Eſtates of Parliament now preſently conveened in this third ſeſſion of the ſecond Triennall Parliament, Taking to their conſideration That the neceſſitated and urgent affaires of the Countrie requires a conſtant Committee of War to reſide in every Shire, to be aſſiſting for performance of ſuch things as ſhall be thought fit and requiſit by the Parliament or Committee of Eſtates, for the weal of the reſpective Shires; Therefore, they have prorogate and continued the whole ſeveral Commiſſions granted to the Committees of warr, To the ſame perſons as they were eſtabliſhed in the laſt Seſſion of this Triennal Parliament, in the whole reſpective Shires: And Gives, Grants and Renews to them the ſame full power as was contained in the ſaid former Commiſſions, Ordaining them to ſit and meet at their ordinary times, or oftener as occaſion requires, And to doe every thing according to the tenor of the forſaids Commiſſions till the ſame be renewed.

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INSTRUMENTS taken by the Lord Marquis of Argyle upon the production of the honours in face of Parliament, and deliverie thereof to the Laird of Scotſcraig, in name of the Earle Marſhall. 3

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THE Earle of Eglintoun excuſed for abſence, while the recovery of his health. 4

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COMMISSION to the Committee of Diſpatches [and for Publict affaires.]

THE Eſtates of parliament now pũtlie convenit in this third ſeſſioun of this ſecund trienniall parliat Hes nominat and appoyntit And be thir pũtis nominatis and appoyntis The Lo / Marques of Argyle, the Erle of Bacleuch, the Erle of Lowthian, the Lord borthwick the Lord burghlie 5
for the nobillmen. Nidrie, Scotſcraig, kinhilt, Sr James Hope, Hilderſtoun, Greinhead, and Ceſnok for the barones. Sir James Stewart, George Porterfeild, Mr Robert Barcley, Patrick Ros, James Sword, Johne Boſuell, and Hew Kennedy for the burrowes. To be ane cõmittie of parliament To quhom or any nyne of thame two being of everie eſtate as thair quorum The Eſtates of parliament geives heirby power to tak into thair conſidera°un and to prepair (for the readier diſpatch of parliament) All buſſines concerneing the armie now in Scotland The affairis in England Holland Irland or any other pairt abroad quhairin the kingdome of Scotland may be concerned And quhat is fitteſt to be done in everie particular that ſhall occur touching the ſame And als wt power to thame to tak cours and ordour wt the quarterings of ſouldieris and to diſpoſe vpone the troupis and companeis in the interim till the parliament tak ane

farder ſettled cours w^t thame And to meitt w^t ſuch of the miniſtrie as the Comiſſionars of the generall aſſemblie ſhall appoynt to be w^t thame and to acquaint the ſaids commiſſionars of the generall aſſemblie w^t everie particular that thay ſall think fitt And the Eſtates of parliament Ordanes the ſaid committie or quorum foirſaid To mak the report in wryte to the parliament That thay may thairefter tak the ſamen to thair conſidera^un And doe thairanent in everie particular thairof as thay ſhall think fiting And the ſaids Eſtates Ordanes the Lord chancellar and the Lord generall to be ſupernumerarie

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ACT Prorogating the dyet for viſitation of the Univerſity of Saint Andrews.

6 THE ESTATES of Parlt Considering That by an former Act of theirs of the date the 8th of March 1649 They have prorogat that Subcommittee which was to sit at St Andrews the fourteenth of March thereafter to the last wedneſday of may instant, and finding that the Reasons for the Prorogation of the said Subcommittee still remain, Do by thir presents Give Power to the said Subcommittee, or so many of them as shall be upon the Place the said Day, to prorogate the same, and all matters referr'd therto, to such a Day as they with Consent and Advice of Mr Samuel Rutherfoord present Rector of the said University, and Mr Robert Blair Minister there, shall think fit for doing of that which was committed to them by the Commiſsion for Visitation of the University of St Andrews

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7 ACT continuing the Commiſſioners for the exciſe and accompts while further courſe.

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8 ACT Prorogating the dyet of the ſervice of Marion Weir.

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9 WARRAND to the Magiſtrates of Edinburgh for keeping Lord Rhae and others in ſure priſon.

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XXIX MAII.

ACT continuing the maintenance for the moneth of June, 1649.

10 THE Eſtates of Parliament Having conſidered the dangerous poſture of affaires in this Kingdom, both inreſpect of inteſtine and forraign Enemies; And with all perceiving that the deſignes and attempts of the evill affected are ſtill to involve the Kingdom in new troubles, And being obliged in diſcharge of the truſt committed to them To take care of the ſafety of the Kingdom, as they reſolve for themſelves to uſe all Lawfull wayes and peaceable meanes to prevent theſe dangers, So they have thought fit to prorogate and continue the monethly Maintenance as the ſame was impoſed upon the Kingdom for the moneths of March, Aprill laſt, and May inſtant, For the ſpace of a moneth after the ſaid moneth of May inſtant, viz. for the moneth of June 1649. And therefore ſtatutes and ordaines that ilk Shyre and Burgh within this Kingdom are and ſhall be lyable and obliged in payment of the particular ſummes of money, as they were obliged in the former Act of Maintenance made upon the Seventh of March laſt 1649. And that betwixt and the day of the ſaid moneth of June; And ordains the ſame to be payed to Sir James Stewart of Kirkfeild Knight Proveſt of Edenburgh Theſaurer of the Armie and collector of the ſaid maintenance and his deputies and ſubcollectors, and that the ſums to be payed by the ſeverall Shires and Burghes be the like ſums as was payed for one moneth of the ſaids former three moneths; For the better inbringing & collecting whereof, The ſaids Eſtates of Parliament allowes to the ſaid collector of the maintenance and Clerk of Collection appoynted by him, the ſame allowance they had formerlie, and ficlike to all collector deputies and Clerks one or more in each Shire To be nominat by the Committee of Warr thereof, betwixt and the day of June next, with ſuch fees as the Committees of Shires ſhall allow, not exceeding the former allowance; which collector deputies ſhall find ſufficient caution to the collector generall, wherein if the Committees of War ſhall faile, The generall collector after the day foreſaid to appoint his own ſubcollectors in theſe Shires who ſhall happen to faile to nominate and find ſurety; And Ordains the ſaids ſubcollectors to be comptable, and Letters, charges and all executions to follow upon this act for payment of the ſaid moneths maintenance, with the ſame wayes for putting in execution againſt deficients; And the debtors to have the ſame retention from creditors, And the ſame perſons to have exemption from payment of the ſaid moneths maintenance as is contained in the ſaid Act of the Seventh of March laſt; And diſcharges any ſuſpenſion to be granted without conſignation in manner mentioned in the ſaid act of the Seventh of March laſt; And Ordains all heritors within Burgh, pendicles and liberties thereof To contribute with them for payment of the maintenance, as is contained in the Act of the ſecond of February laſt; And Ordaines the ſame courſe to be taking anent the payment of maintenance for Lands & Teinds as they ly locallie in Shires and Burghs: And Declares and grants the ſame priviledges to

the Lords of Seſſion, And grants the ſame power anent the publick moneyes of Loan, Taxt, bygone maintenance, tenth and twenty pennies, borrowed moneys reſtand unpayed or uncompted for: And gives the ſame power to the reſpective Committees of War of Shyres to take Tryall thereof, and to make report thereof to the Parliament: And Diſcharges any heretors from exacting any part of their maintenance from their tenants, except upon hearing of both parties before the Committees of Warr of the ſeverall Shyres, As is mentioned and contained anent theſe whole particulars in the ſaid former Act of the Seventh of March 1649.

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11 WARRAND to the Lord Advocat and Maſter Alexander Colvil, to examine John Watt with certain witneſſes.

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12 COMMISSION for taking and apprehending William Wallace of Craigie and others therein contained.

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13 REFERENCE William Wallace of Burnbank contra Laird Cragie.

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14 PASSE for Colonell William Stewart.

WHERAS the bearer Colonell Williame Stuart, is to repaire to the Kingdome of England Theſe ar to deſyre all perſones whom it may concerne, To ſuffer and permitt him wth his f^r^vantes and retinue To paſs thither and returne w^th^out any Let or impediment whatſoeuer And to affoord him readye diſpatche and faire vſaige on his way Geuen at Ed^r^ the 29 day of Maij 1649.
Signed by warrand And at
Comand of the Parlia^t^
of Scotland
LOUDOUN . Can^ll^rius
I P D P.

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15 ACT in favours of the Reliet and Bairnes of Captan Mackleane.

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16 COMMISSION for tryall of John Mur doche.

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17 ACT anent the time of payment of the Officers of Troops lately levied.

XXX MAII.

ACT anent John Watt Skipper. 18

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COMMISSION granted for tryall of certain witches, in communi forma. 19

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ACT Prorogating the Commiſſion granted to the Committee of Bills. 20

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COMMISSION for tryall of the Collectors of Perth Shyre. 21

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PROTECTION Laird of Barnes. 22

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ACT anent the times of ſitting of Seſsion and Parliament. 23

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XXXI MAII.

ACT anent the ſitting of the Lords of Seſſion conſtantly in tyme coming during their ordinary tyme.

THE Eſtates of Parliament now preſently Conveened in this third ſeſſion of the ſecond Triennall Parliament, Taking to their Conſideration, that albeit by former Proclamations, It was intimate at the marcat Croſe of Edinburgh, that the Lords of councel and Seſſion were to ſit down the firſt day of June now inſtant for adminiſtration of Juſtice to the Leidges; yet hearing that the troubles of the country, and the meeting of the Parliament, have poſſeſſed many with feares of the not ſitting of Seſſion; And leaſt by miſinformation the Leidges ſhould ſuffer, they have thought fit of new again to intimate to the Leidges, that as the ſaids Lords are now ſitting down for adminiſtration of juſtice, So God willing they are to continue therein till the laſt of July next to come, And that the Eſtates of Parliament do intend and reſolve with Gods aſſiſtance for the tyme to come (notwithſtanding of the meetings of Parliament) and als far as is poſſible (notwithſtanding of the troubles of the countrie) To cauſe the ſaids Lords keep conſtantly the ordinary moneths of Seſſion for adminiſtration of juſtice: & therefore Ordaines all our ſoveraign Lords Leidges who have buſines before the ſaids lords, To attend the ſaid ſeſſion; and this to be intimate to them by ſound of Trumpet at the Mercat Croſſe of Edinburgh. 24

25 ACT adding the Earle of Sutherland [the Lord Arbuthnot and the Laird of frieland] to the Committee of Diſpatches.

. . . . . .

26 ACT adding certaine perſons to thoſe formerly appointed for the viſitation of the Univerſity of Glaſgow.

. . . . . .

27 ACT where Sir James Hope of Hoptoune accepted his charge, as one of the Senatours of the Colledge of Juſtice, and made faith, de fideli adminiſtratione.

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28 DECLARATION in favours of the Relict of Doctor Sharpe.

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29 DECLARATION anent thoſe who ſits in Seſsion.

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30 ACT in favours of Maſter James Campbell.

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31 COMMISSION to the Committee of Grievances.

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32 REMIT Lady Cheſters.

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I JUNII.

33 ACT anent quartering of Forces.

. . . . . .

34 REMIT and citation in favours of the Pariſhoners of Culroſs.

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35 WARRAND to the Commiſſioners of the Theſaurarie to diſpoſe upon the Organs in the Chappell-Royall.

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36 COMMISSION for rectifying the Valuations.

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37 WARRAND to the Magiſtrates of Aberdeen to examine William Bartoun.

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V JUNII.

38 ACT in favours of the Earle of Wigtoun and his Tennents.

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ACT concerning Doctor Sibbald. 39

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DISPENSATION in favours of William Ruthven of Dunglas. 40

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WARRAND to James Campbell for paſſing of the Lord Chancellars ſecuritie. 41

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VII JUNII.

ACT anent the aſſurance given by the Lieutenant Generall, To thoſe who did riſe in the late Rebellion in the North.

THE Eſtates of Parliament Having ſeen & conſidered the aſſurance given by Lieutenant Generall Leſlie, To the Lord Ogilvie, Lewis Gordoun ſon to the ſomtime Marques of Huntlie, Thomas Mackenzie of Pluſcardine, and to John Middleton of Fittercairne, the Tenour whereof followes: KNOW ALMEN By thir preſents, That I Lieutenant Generall David Leſlie, Having power, warrand and authority granted unto me by the Committee of Eſtates of this Kingdom, for giving of the aſſurance underwritten; Do hereby in their name become obliged and give aſſurance to everie one who ſhall ſubſcrive the band herewith preſented, that their lives and Eſtates, fortunes and liberties ſhall not be called in queſtion to them by the Eſtates of this Kingdom, or their Committees, For any thing done by them or any of them In relation to, and for proſecution of the late unlawfull Engagement, Or in relation to the preſent troubles and commotions in the north, raiſed ſince the ſaid late unlawfull Engagement, They and everie one of them obſerving, keeping and fulfilling the whole tenour, heads and clauſes of the ſecurity for keeping the peace of the Kingdom, Granted and ſubſcrived by them at the making hereof; Which aſſurance of mine to the perſons under ſubſcribers, I oblige my ſelf To get Ratified and approven of, At the next enſuing Parliament: In witneſſe whereof I have ſubſcribed thir preſents with my hand At the day of 1649 years, Before thir witneſſes, DOE HEREBY Give aſſurance To them, and ſuch others as at the making of the ſaid aſſurance by Leivtenant Generall Leſlie did ſubſcribe the band for keeping the peace of the Kingdome, And ſhall deliver in their bands betwixt and the firſt day of October next 1649. That their lives Eſtates, fortuns and liberties ſhall not be called in queſtion by the Eſtates of this Kingdom, or by their Committees for any thing done by them or any of them In relation to, and for proſecution of the late unlawfull Engagement, Or in relation to the preſent troubles and commotions in 42

the North, raiſed ſince the ſaid late unlawfull Engagement, They and every one of them obſerving, keeping & fulfilling the whole tenor, heads and clauſes of the ſecurity for keeping the peace of the Kingdome: Granted & ſubſcribed at the giving of the forſaid aſſurance by the Leiutenant Generall Leſly; This being alwayes declared to be without any allowance to them of the titles which they uſurpe to themſelves in the writing & ſubſcriving of the ſaid Band: As alſo without any prejudice to the protection granted by the Leivtenant Generall at that time to the tenants and ſervants of the perſons abovenamed.

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43 ORDERS to Sir William Scot to deliver the Records of Parliament to the Lord Clerk Regiſter.

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44 ACT where Sir William Scot of Clerkingtoun accepted the charge, as one of the Senatours of the Colledge of Juſtice, and made faith, de fideli adminiſtratione.

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45 REFERENCE the Pariſhoners of Inuereske to the Committee for plantation of Kirks.

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46 REMIT Donald Camrone to the Committee of Moneys.

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47 ACT in favours of the ſhyreffdoms of Roxburgh and Selkirk.

. . . . . .

48 ACT for puting Donald and Thomas Macpherſons to libertie forth of the Tolbuith of Edinburgh.

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49 ACT and Commiſſion in favours of Elizabeth Howſtoun Lady Gargunnock.

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50 ACT in favours of Margaret Williamſon.

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51 RECOMMENDATION Stephan Bryce, and Commiſſion granted anent Maſter Archibald Flemming.

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52 ACT in favours of Hew Campbell.

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ACT in favours of Colonell Ker, and Lieutenant Colonells Halkheid and Strachane. 53

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ACT anent the Victuall to be put in Gariſons, and certaine other proviſion and furniture, and for payment of Lieutenant Colonell Mengies. 54

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ACT ordaining the Exchequer to ſit once every week the time of Parliament. 55

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ACT in favours of Alexander Stewart. 56

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VIII JUNII.

ACT prorogating the meeting for the viſitation of the Univerſity of S^{t}. Andrews.

THE Estates of Parlt now presently conveend in the third Seſsion of this second trienniall Parlt Conſidering That by an former Act of Theirs of the Date 8 march 1649 They have prorogate the meeting of the Commiſsion for Viſitation of the University of St Andrews which was to sit at Ed^{r} the 15th day of Aprile thereafter, to the 2^{d} wednesday of June instant, and Considering that they have given warrand to the subcommittee, which was to meet at St Andrews the last wednesday of may last by past, which was to take Tryal and make Report of sundrie Particulars committed unto them, Do likewiſe by thir presents Prorogat and adjourn the meeting of the said Commiſsion for Visitation of the said University of St Andrews, and all matters belonging thereto, untill the first Friday of July next to come, and be thir presents Ordains the whole members of the said Commiſsion, and all others whom it concerns, to keep the said Day. 57

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ACT Ratifying the Commiſſion appointed for viſiting the Univerſity of S^{t}. Andrews. 58

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ACT concerning the Caſtle of Edinburgh. 59

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ACT joyning Mr Robert Blair to the Subcommittee for viſitation of the University of St Andrews.

THE Estates of Parl^{t} Do by thir presents join Mr Robert Blair Minister at St Andrews unto that Subcommittee of the Commiſsion for Visitation of that University which is to meet at St Andrews the last wednesday of June Instant. 60

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XII JUNII.

ACT anent the dayes of compriſings, and ſervices of Aires, when the ſame ſhall happen to fall upon dayes of publick humiliation or thanksgiving.

61 THE Eſtates of Parliament Taking to conſideration the prejudice that many of the Leidges has ſuſtained and now ſuſtaines By denuncing of lands to be appriſed at their inſtance, and publiſhing of Briefs reſpective for ſerving of them Aires to certain peremtorie days & places for deducing of their compryſings, and ſerving of the ſaids Briefes, which days has ſundry times fallen out, and may hereafter fall out To be days ſet apart at that time and place, for publick Humiliation or Thankſgiving, wch ought not to be interrupted but ſolemnly obſerved, whereby the parties having intereſt wil be fruſtrate of their former diligence, and put to new paynes and charges; THE SAIDS ESTATES of Parliament for remedie hereof, Statutes and Ordaines, and hereby finds and declares, That when any of the dayes to the which denunciations be uſed for compriſing, or Briefes proclaimed for ſerving of Aires, falls out to be either upon a day appointed for publick Humiliation, Faſting and Praying or publick Thankſgiving, at that place where their compriſings or ſervices are to be, That it ſhall be ſufficient and lawfull to the parties intereſſed, And to the Judges inqueſt and other members of court To uſe the ſaids appriſings & ſervice of the Brieves reſpective foreſaids upon the morrow thereafter, not being the Lords day, which if it be; upon the day following the ſame; which the Eſtates declares to be als valid as if the ſame had been done upon the peremptorie day, to the which the lands were denunced to be appriſed, or the Brieves proclaimed to be ſerved.

ACT anent execution of poynding to follow upon Sheriffs and other inferior Judges their decreets.

62 THE Eſtates of Parliament now preſently Conveened in this third Seſsion of this ſecond Triennal Parliament, Taking to their conſideration that albeit by Act of Parliament of the day of yeers, Letters of Horning are Ordained to be direct by deliverance of the Lords of Seſſion upon Sheriffs, Commiſſars and other inferior judicatories their decreets upon the ſimple charge therein mentioned; Yet the Act bears no warrand for Letters of poynding to be granted by the delyverance foreſaid upon theſe decreets, whereby the parties intereſt obtainers of the decreets, are oft-times prejudged of their payment, when theſe parties againſt whom theſe decreets are obtained doe flit or remove out of the Shyre or jurisdiction of the judge before whom the ſaids decreets are given; Therefore the ſaids Eſtates Ratifies the Act of Parliament, abovementioned In the whole heads & points thereof, And for remedie of the prejudice foreſaid, Ordaines Letters of poynding to be direct, by deliverance of the Lords of Seſſion at the inſtance of the parties intereſt upon the ſaids Sheriffs, Commiſſars and other inferior Judges their decreets contained in the foreſaid Act; Sielike and in the ſame manner as Letters of Horning are appoynted by the ſaid Act to paſſe upon the ſame decreets, That thereby the parties may have reall execution as well as perſonall upon their decreets foreſaids.

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ACT Margaret Levingſton contra Tennents. 63

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ACT in favours of the Laird of Leys Burnet. 64

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RATIFICATIONS in favours of Maſter John Hay Comiſſar of Murray, of his gift, as Comiſſar of Murray. 65

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ACT in favours of Janet Fallowſdaill. 66

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ACT in favours of Maſter Alexander Trotter, Miniſter of Tweydmuire. 67

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RECOMMENDATION in favours of James Wallace to the Committee of Moneys. 68

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ACT in favours of the Burgh of Rutherglen. 69

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ACT in favours of the Burgh of Tayne. 70

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REMIT Major Thomas Macbirnie and William Levingſtoun to the Lords of Seſſion. 71

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PROTECTION of David Murray Merchant. 72

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ACT in favours of Maſter Thomas Lumſdene. 73

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74 REMIT Maſter James Campbell of Moy.

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75 PROTECTION Laird of Minto.

. . . . . .

76 ACT appointing the Quorum of the Committee for rectifying the Valuations to conſiſt of three.

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77 RECOMMENDATION from the Parliament to the Exchequer, anent exporting of Victuall.

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78 COMMISSION granted to a Select Committee anent the rates of Money, and inbringing of Bullion.

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79 RECOMMENDATION to the Exchequer anent reſtraining of Victuall.

. . . . . .

80 WARRAND for printing of the Act of the laſt Seſsion of Parliament, for ſupply of the poore.

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XIV JUNII.

ACT of Approbation of the proceedings of the Commiſſioners who went to his Majeſtie.

81 THE Eſtates of Parliament having received from John Earle of Caſſils, Alexander Brodie of that ilk, Maſter George Winrame of Libbertoun, and Alexander Jaffray Burges of Aberdeene their Commiſſioners ſent to the Kings Majeſtie, The report of all their proceedings with the King, and read the papers delivered therewith to this Parliament, And being ſatisfied with their integritie, faithfulneſſe and diligence, In contributing their utmoſt endeavours for proſecuting their inſtructions, and for obtaining ſatisfaction to the deſires of this Kingdom, Do therefore unanimouſlie and heartily acknowledge their faithfulneſſe and diligence, and approve their proceedings, And render to them the heartie thanks of this Kingdom for the ſame.

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[REPORT made to the Estates of Parliament of the Kingdom of Scotland By their Commiſsioners after their return from the Kings Majeſty out of Holland.

WE have from time to time as occaſion offered, given your Lordſhips and the Committee of Eſtates, a particular accompt of our diligence, and of the progreſſe of theſe affairs, which it pleaſed your Lordſhips to intruſt us with, which had been done more frequently, if the paſſage had not been ſo difficult, & uncertain, that we could not get our papers conveyed to your Lordſhips with that ſpeed which we deſired. And although our former papers doe bear much of the Report, yet that the Parliament may have at once a recent and intire review of the whole buſineſſe together, we ſhall ſhortly reſume the ſubſtance of what hath been at ſeverall times communicated, and the papers which have not as yet been tranſmitted to your Lordſhips hands, will make known the reſt.

ACCORDING to our additionall inſtructions of the fifteenth of March, finding that James Grahame was about the King, We did by a paper of the twenty ſeventh of March, deſire that he might be removed from his Majeſties perſon and Court, as one who had been deſervedly forefaulted by the Parliament, and excommunicate by the Church of this Kingdome; which when we had preſt once and again, his Majeſty returned this Anſwer, that he was reſolved to conſider the whole that we had to propoſe, before he declared his reſolution upon any part.

ALTHOUGH we were ſorry to receive this Anſwer, yet being loath upon this ground to break off, (laying that deſire aſide for the time) we did proceed, and in three Propoſitions offered to his Majeſty the ſubſtance of theſe things which we were warranted by your Lordſhips to demand; the firſt whereof was, that his Majeſty would by his Oath under his Hand and Seal allow the Covenant, and the Solemn League and Covenant, and oblige himſelfe to proſecute the enemies thereof in his Royall Station. Secondly, that he would ratifie all Acts of Parliament enjoyning the Solemn League and Covenant, and for ſetling Preſbyteriall Government, Directory of Worſhip, Confeſsion of Faith, and Catechiſme, as they are already approven by the Generall Aſſembly and Parliament of Scotland, and would aſſent to Acts of Parliament, enjoyning the ſame in England, and obſerve the ſame in his own practice and family, and never make oppoſition thereto. Thirdly, that his Majeſty would agree that matters Civill ſhould be determined by this preſent and ſubſequent Parliaments of this Kingdome, and matters Eccleſiaſticall by the Generall Aſsemblies of this Church, as his Royall Father did

formerly grant. Theſe Propoſitions were preſt with the beſt reaſons we could, both from the juſtice and neceſsity of the matter, and from the advantage that would ariſe to his Majeſties affairs upon ſatisfaction given thereunto, which for brevity we forbear to repeat.

IN ſtead of an Anſwer, his Majeſty returned a paper, containing theſe three Queries, firſt whether the papers already preſented, did contain all that we had to propoſe. Secondly, whither we had any power to recede from any thing therein, or were bound to inſiſt thereupon in terms as they ſtood. Thirdly, whither we had any Propoſitions to make toward the advancement of his Service, for his reſtitution to his other Kingdomes, and bringing of the murtherers of his Father to Juſtice.

AND conſidering that theſe Queries were moved of purpoſe to obſtruct all agreement, and to cauſe and increaſe jealouſies and differences betwixt his Majeſty and us, we offered by conference to ſhew that theſe Queries were materially anſwered in our paper of the twentieth of April, and therefore intreated his Majeſty not to inſiſt in theſe or the like, for the moving of them tended greatly to the prejudice of his own affaires at this time. But his Majeſty finding that conference could not be ſo well tranſmitted to his counſell, he inſiſted in the ſame, ſo that we were neceſsitated to make it appear by Writ, that they had been anſwered in that our former paper, as to the firſt we anſwered, that we were not to propoſe any further, unleſſe we were commanded by the Parliament or their Committee; To the ſecond, our deſires propoſed were ſo juſt and neceſſary, for ſecuring of Religion, and the peace of this Kingdom, that we could not in reaſon recede from the matter contained in them (which being retained) we were not to ſtand with his Majeſty upon words or termes. And to the third we replyed, that the granting of theſe deſires, would make his Majeſties good people, doe all for him that could be expected of faithfull and loyall Subjects to their Gracious King; and particularly, would make them contribute their utmoſt indeavours, that his Majeſty might be reſtored to the poſſeſsion of his juſt right of government of his other dominions.

AND when as yet his Majeſty ſeemed not ſatisfied, and did eſpecially recent, that in theſe Anſwers nothing was expreſt of our ſenſe of the murther of his Father, nor was any thing offered to bring the Actors thereof to Juſtice: We did by another paper cleer our former Anſwers, and did much regrat, that our ſenſe of that horrid fact againſt the life of our late Soveraign, ſhould be called in queſtion; ſince the Parliament by their Commiſsioners at London, had declared to the world, how much they did abominate and deteſt the very deſign thereof: all which, with unanimous conſent was allowed, and approven in Parliament.

AND finding that his Majeſty did all this while [defer] to give a direct or poſitive Anſwer to the Propoſitions, we did by another Paper of eleventh of May, with all the freedome and faithfulneſſe we could, preſſe his Anſwer, and did repreſent to him the great danger and diſadvantage, which would inevitably enſue upon his delaying, or refuſing, to give the ſatisfaction deſired by this Kingdome.

WHEREUPON his Majeſty gave us this paper of the twenty ninth of May; after conſideration whereof, we did repreſent to his Majeſty how grievous that Anſwer was to us, and how unſatisfactory it would be to your Lordſhips, and therefore forbearing to inſiſt upon particulars, we intreated his Majeſty to take the ſame again into conſideration, to which his Majeſty was pleaſed only to return this generall Anſwer, by the which your Lordſhips may perceive, his Majeſties purpoſe of ſending an expreſſe hither for your further ſatisfaction.

IN purſuance of our truſt, there did many things occurre in conference, which cannot fitly be now repeated; in which according to our duty, we left no means or arguments unaſſayed, that his Majeſty might apply himſelfe to the Counſels of his Parliament, in which we did expreſſe how much Affection and Loyalty your Lordſhips did bear to his Royall perſon, and government whereof we ſhall be ready to make a more full relation, when it ſhall pleaſe your Lordſhips to require it. Although we have not had as yet ſuch ſatisfaction, as both your Lordſhips and we did wiſh, yet doe we not deſpaire, ſince affairs are left in that condition, that further progreſſe may be made thereupon, by the expreſſe which his Majeſty is to ſend hither, or by new applications to his Majeſty, as your Lordſhips ſhall think fitting.

WE have had ſo many experiences and proofes of the good hand of our God with us unto this day, that (although our difficulties be many) we were of all people moſt unthankfull, if we ſhould now faint or caſt away our confidence, in doing of our duty, we may hope, that he will yet aſsiſt, and goe before us; and as all poſsible and lawfull means would be ſtill uſed, for gaining from our Soveraign the King, a gracious Anſwer to our deſires; ſo ſhould we not in the mean time become ſecure, but imploy all warrantable means, for preſerving Religion, and the Kingdome in ſafety.

June 14. 1649.

Caſsils.
Brodie.
Geo. Wynrame.]

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[THE PAPERS interchanged betwixt His Majestie and the said Commiſsioners as they were reported in Parliament.

THE COMMISSIONERS firſt Paper to the Kings Majeſtie, deſiring the removall of James Graham from his preſence and Court.

May it pleaſe your Majeſtie,

(1) THE Eſtates of Parliament of your Majeſties ancient Kingdom of Scotland, conſidering what ſad effects the pernitious Counſels of wicked Inſtruments have produced, by raiſing and fomenting diviſion between your Majeſties Royall Father, and his faithfull Subjects; Have commanded us at our firſt Addreſs to your Majeſtie, humbly to crave, that your Majeſty would be pleaſed to remove from having acceſſe to your Royall Perſon and Court, all theſe who have been and continue Excommunicate by the Church of that Kingdom, and namely James Graham, ſometime Earl of Montroſe: And now we according to the Truſt committed to us, do humbly and earneſtly crave the ſame at your Majeſties hands, being very hopefull that a more plentifull bleſsing from God ſhall accompany your Majeſties Counſells and affairs, and that the deſires and endeavours of the Parliament ſhall prove the more effectuall to work a good underſtanding and mutuall confidence betwixt your Majeſty and your people, when ſo eminent an Author and Actor of miſchief ſhall have no countenance from your Majeſtie, nor influence upon your Royall Counſells, who abandoning the Covenant, and deſpiſing the Oath of God, did invade his native Country, and with moſt inhumane and barbarous cruelty did burn and waſte divers parts thereof, and who ſpilt ſo much blood of your Majeſties good Subjects, taking advantage of that time when the prime Commanders and Forces thereof were imployed elſewhere, for which crimes he was excommunicated by the Church and forefaulted by the Parliament of that Kingdom, and ſtill to this day continues in the higheſt contempt againſt God, under that fearfull ſentence of Excommunication, without the ſmalleſt ſign of Repentance.

March 27. 1649. Signed by Warrant and at Command of the Commiſsioners of the Parliament of the Kingdom of Scotland.

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HIS MAJESTIES Anſwer.

(2) I DESIRE and expect that you deliver all the Propoſitions or Deſires you are inſtructed to preſent to me, before I make an Anſwer to any particular one, being reſolved to conſider of the whole, before I declare my Reſolution upon any part,

April, 8. 1649. N. Stilo. Signed, C R.

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THE COMMISSIONERS ſecond Paper for removall of James Graham.

May it pleaſe your Majeſtie,

WE the Commiſsioners of the Parliament of your (3) Majeſties Kingdom of Scotland, having conſidered your Majeſties Anſwer of the date the 8. of April, Stilo no. to our deſire for removing James Graham from your Majeſties Perſon and Court, muſt in conſcience of our duty with all humility repreſent unto your Majeſtie, how ſorry we are, that your Majeſty ſhould delay to give ſatisfaction to that our firſt, ſo juſt and neceſſary deſire; It being previous, and moſt conducing to an happy procedure in the other particulars, which we are warranted to tender to your Majeſtie: We do humbly beſeech your Majeſtie ſeriouſly to conſider, what fears and diſcontents it would beget in the hearts of your Majeſties moſt affectionate Subjects, and how it would blaſt their hopes of comfort by your Majeſties Reign, now in the bud, if delay or difficulty were made to remove from your Majeſtie, one who juſtly and deſervedly is moſt hatefull unto them, and how great diſadvantage it would bring to your Majeſties affairs, that he ſhould have any countenance from, or neerneſſe to your Royall Perſon; eſpecially at this time; therefore we do moſt humbly and earneſtly renew, and inſiſt upon that our firſt deſire, aſſuring your Majeſtie that we ſhall in the reſt endeavour (according to that truſt repoſed on us) to give your Majeſtie all ſatisfaction.

March 30. 1649. Signed by Warrant and at Command of the Commiſsioners of the Kingdom of Scotland.

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HIS MAJESTIES Anſwer.

I DO inſiſt upon my former Anſwer, and do deſire (4) and expect that you do deliver all the Propoſitions or Deſires you or any of you are inſtructed to preſent to me, before I make an Anſwer to any particular one, being reſolved to conſider of the whole, before I declare my reſolution upon any part.

April 10. n. ſtil. 1649. Signed, C R.

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THE COMMISSIONERS third Paper, containing the Propoſitions offered to his Majeſtie in name of the Parliament of the Kingdom of Scotland.

May it pleaſe your Majeſtie,

WE are commanded by the Eſtates of Parliament (5) of your Majeſties Kingdom of Scotland, humbly to repreſent to your Majeſty, that as they were not wanting in giving faithfull and timous counſell to your Majeſties Royall Father, for preventing the

dangers which were then feared, and have ſince to their deep ſorrow and unexpreſsible grief fallen out: and as they have with all care and faithfulneſs contributed their utmoſt endeavours for preſerving their late Soveraign, as their Letters, Inſtructions, Declarations, and their Commiſſioners Papers can evidence: So they do reſolve to continue the ſame Loyal affection and faithfulneſs to your Majeſtie, and accordingly have acknowledged and Proclaimed your Majeſtie King of Great Britain, France and Ireland, with all readineſs, unanimity, alacrity and ſolemnity: and have proteſted in favours of your Majeſties juſt Right of Succeſsion in the Royall Government of your Kingdoms of England and Ireland, againſt all Acts done, or to be done to the contrary: As alſo have commanded us in their name, humbly to offer to your Majeſty, that they conceive it neceſſary for eſtabliſhing the happy government of that your Majeſties ancient Kingdome, and for reſtoring your Majeſtie to the ſetled and peaceable poſſeſsion of your juſt Right of Government of your other Dominions.

1. THAT your Majeſty would be pleaſed to aſſure and declare, that you will by your ſolemn Oath under your Hand and Seal allow the Nationall Covenant of Scotland, and the Solemn League and Covenant of Scotland, England, and Ireland, and that your Majeſty will proſecute the ends thereof in your Royall Station.

2. THAT your Majeſty will ratifie and approve all Acts of Parliament, enjoyning the Solemn League and Covenant, and eſtabliſhing Presbyteriall Government, the Directory of Worſhip, the Confeſſion of Faith, and Cateehiſme, in your Majeſties Kingdome of Scotland; as they are already approven by the Generall Aſſembly of the Kirk, and by the Parliament of that Kingdome; And that your Majeſty will give your Royall Aſſent to Acts of Parliament, enjoyning the ſame in the reſt of your Majeſties dominions. And that your Majeſty will obſerve the ſame in your own practice and family, and never make oppoſition thereto, or endeavour any change thereof.

3. THAT your Majeſty will conſent and agree that all matters Civill be determined by the preſent and ſubſequent Parliaments of your Kingdome of Scotland, and all matters Eccleſiaſticall by the enſuing Generall Aſſemblies of that Church, as was formerly condiſcended, and agreed to by your Majeſties Royall Father.

THESE deſires are ſo juſt and neceſſary for the ſecuring of Religion, and the Peace of that Kingdome, and for gaining not only the outward obedience, but alſo the inward affection of all your Majeſties good people, to your Royall Perſon, Authority, and Government, after ſo great diſtractions, and troubles, that the granting thereof will ſo farre indear your Majeſty to that Nation, that they will not only receive your Majeſty with all chearfulneſſe, and moſt willingly render to you that ſubjection, and dutifull obedience which can be expected from Loyall Subjects to their gracious King; But likewiſe will contribute their utmoſt endeavours by all neceſſary and lawfull means, according to the Covenant, and the duty of faithfull and loyall Subjects, that your Majeſty may be reſtored to the peaceable poſſeſsion of the government of your other Kingdomes, according to your Majeſties undoubted right of ſucceſsion. And if your Majeſty ſhall ſpeedily begin to move that way which will be acceptable to God, and good men, and really offer to ſetle Religion and Peace, as is repreſented in our deſires; and upon theſe grounds ſhall claim the right of your Royall government, before Democracy, or any new modell of government under the name of an Agreement of the people, or any other name or device be ſetled, or take root in England; it will be more eaſie to maintain Monarchicall government, as yet entertained in the hearts of your Majeſties Loyall Subjects there, then to reſtore it after a new form of government hath gotten leave to take root, and the people have been habituated thereto. We are very confident that your Majeſties ſpeedy and cordiall joyning in the Covenant with God, and your good people, wil open a door of hope, that God wil ariſe & ſhine upon your Majeſties juſt undertakings, and will plead your righteous cauſe againſt the enemies thereof.

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HIS MAJESTIES Anſwer.

I DESIRE to know whether the papers you have already delivered, contain all particulars, which you or either of you have to propone or deſire, and whether you have any power to recede from any particular propoſed, or to be propoſed; and whither you have any Propoſitions to make, for the advancement of my Service, and toward the recovery of my right in England, and bringing of the murtherers of my Father to Juſtice, and what aſsiſtance you will give to that purpoſe, (6)

April $\frac{12}{22}$ Signed,
C R.

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THE COMMISSIONERS fourth paper.

May it pleaſe your Majeſty,

WEE have conſidered your Majeſties paper of the 22. of this inſtant, and doe humbly conceive that it is ſufficiently anſwered by ours of the twentieth of the ſame, containing the juſt and neceſſary deſires of the Parliament of your Majeſties Kingdom of Scotland, as we are ready inſtantly to make appeare. (7)

April $\frac{14}{24}$ Signed by the Commiſſioners of Parliament.

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HIS MAJESTIES Anſwer.

(8) I HAVE again conſidered your Papers of the 20. of this moneth, to which you refer in your Papers of the 24. and do not underſtand that the Queſtions asked by me in my Paper of the 22. were ſufficiently Anſwered by you in the other, there being no mention in that Paper of the 20. whether the Papers you have alreadie delivered contain all particulars which you, or either of you, have to propone or deſire, nor whether you have any power to recede from any particular propoſed, or to be propoſed by you, or whether you are bound to inſiſt on them in the terms they are propoſed, nor are the offers in that Paper particular enough for the advancement of my Service, and towards the recoverie of my Right in England, nor is their mention of bringing the Murtherers of my Father to juſtice, or what aſsiſtance you will give to that purpoſe, To all which, I expect particular Anſwers, or that you will make it appear in writing, that the former Paper, or any other delivered by you to me, contains ſufficient Anſwers thereunto: And upon your full Anſwers to theſe particulars, you ſhall receive ſuch an one from me, upon the whole, as ſhall be agreeable to Conſcience, Honour, and Juſtice.

April 30. } 1649. Signed,
May 10. } C R.

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May it pleaſe your Majeſtie,

(9) BEING unwilling to trouble your Majeſtie with long and tedious Papers, We chooſed rather by conference to make it appear that your Majeſties Quæries contained in the Paper of April 22. were ſufficiently Anſwered by ours of the 20. containing the deſires of the Parliament of your Majeſties Kingdom of Scotland: But now ſeeing your Majeſtie is pleaſed to inſiſt in the ſame, by another of the 30, deſiring that we would make appear in writing that that our former Paper containeth ſufficient Anſwers thereunto. In obedience to your Majeſties Deſire, we do by theſe humbly crave, It may be conſidered, that whereas your Majeſtie deſires to know whether our Papers already delivered contain all particulars which we have to propoſe. It is Declared therein, that your Majeſties granting of the Deſires contained therein, will obtain all that in reaſon can be required of your people in Scotland, or can be expected of Loyall Subjects to their gracious King, neither are we to propoſe any other, unleſs we be commanded by the Parliament or Committee of Eſtates; That whereas your Majeſtie deſires to know, whether we have power to recede from any particular propoſed, or if we are bound to inſiſt upon them in the terms they are propoſed, It is declared therein, that theſe Deſires contained in it, are juſt and neceſſarie for the ſecuring of Religion, and the Peace of that Kingdom, ſo that we ſhall have no reaſon to recede from the matter of them, though we are not to ſtand upon termes or words with your Majeſtie; That whereas your Majeſtie Deſires to know what that Kingdom will do for the advancement of your Majeſties Service and affairs: It is Declared therein, that the granting theſe juſt and neceſſary deſires, will make your good people in Scotland, do all that can be deſired or expected from Loyall Subjects to their gracious King, and contribute their utmoſt endeavours by all Lawful and neceſſary means, according to the Covenant, and the Dutie of Loyall and Faithfull Subjects, that your Majeſtie may be reſtored to the peaceable poſſeſsion of the Government of your other Kingdoms. Wherefore we do in all humilitie, renew theſe our former Deſires, earneſtlie beſeeching that without loſing of pretious time, your Majeſtie would be pleaſed to give a direct and ſatisfactorie Anſwer thereunto.

April 23. } 1649. Signed by the Commiſsioners
May 3. } of Parliament.

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HIS MAJESTIES Anſwer.

I CANNOT think your Paper of the 3. of this moneth to contain a particular Anſwer to the Queſtions of mine of the 30. of the laſt; all your Anſwer to my Queſtion, whether you have any other thing to propone then that you have alreadie propoſed being, that you are not to propoſe any other unleſs you be commanded: Whereas I expected you would have anſwered, whether you are commanded to make any other Propoſition or no, and that you would have told me whether you have power to recede from any particular which you have propoſed, which you anſwer no otherwaies, then by ſaying, that your demand is juſt and reaſonable, but I cannot but obſerve, that to my Queſtion of the bringing the murtherers of my Father to Juſtice, and what aſſiſtance you would give to that purpoſe, you make not the leaſt Anſwer, nor not ſo much as mention your ſenſe of that horrid and unparaleld murther, and therefore I would be glad to receive your full Anſwer thereunto. (10)

May 7. N. S. Signed,
C R.

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May it pleaſe your Majeſty.

OUR deep ſenſe of the great dangers which will unavoidably enſue to your Majeſties affaires, upon delaying to give ſatisfaction to theſe deſires, which we have propoſed in name of the Parliament of your Majeſties Kingdome of Scotland, as the beſt and moſt effectuall means for eſtabliſhing your Majeſties happie government of that your ancient (11)

Kingdome, and for reſtoring your Majeſty to the poſſeſſion of your juſt right of government of your other dominions; maketh us heavily regrate, that ſo much time hath been ſpent without any direct Anſwer from your Majeſtie, but inſtead thereof ſome queſtions have been propoſed to us; and that notwithſtanding we have once again, as we humblie conceive, ſufficiently anſwered and cleared the ſame, both by Word and Writ, yet they are renewed and inſiſted upon by your Majeſties paper of the ſeventh of this inſtant, to which little more can be ſaid (to our judgement) then what hath been expreſſed before. For to your Majeſties firſt queſtion, whither our papers already delivered contain all particulars which we have to propoſe; we could not anſwer more directly and clearly, then that we are not to propoſe any other, unleſs we be further commanded by the Parliament. And to that, whither we had power to recede from any particulars propoſed, we anſwer that the deſires we propoſed, are not only juſt and reaſonable, but neceſſary, and conſequently, ſuch as from which we may not recede. And to your Majeſties laſt queſtion, we gave an Anſwer very full and comprehenſive, that your Majeſties granting theſe juſt and neceſſary deſires, would move your good Subjects of Scotland to do for the advancement of your Majeſties Service & affairs, whatſoever could be expected from Loyal Subjects to their gracious King, and to endeavour to the utmoſt of their power by all lawful and neceſſary means, that your Majeſty may be reſtored to the poſſeſſion of your juſt Right of government of your other Kingdomes. Neither did we conceive it neceſſary to multiplie words in repeting our deep ſenſe of that horrid fact againſt the life of your Royall Father, ſeeing the whole Parliament of Scotland, whereof we had the honour to be members, had ſo ſolemnlie declared to the world how much they did deteſt and abominate the very deſigne thereof, as the Proteſtations and Papers of their Commiſſioners at London can bear witneſſe, and we were ſo conſcious to our ſelves of our ſincere tender reſpects, and affection towards our late Soveraign, that we looked not to have our ſenſe of that fact in the leaſt wiſe queſtioned. Wherefore we doe again in all humility and earneſtneſſe, renew our former ſupplication, that without further loſs of precious time, whereof too much is looſed already (we wiſh it be not to the prejudice both of your Majeſties affaires, and of your lamentably diſtracted, and bleeding Kingdomes) your Majeſty will be pleaſed to give a direct and ſatisfactory Anſwer to theſe our moſt juſt and neceſſary deſires; in doing whereof, your Majeſty will be to theſe afflicted Kingdomes, like the rain comming down upon the mowen graſſe, and as ſhowers that water the earth.

April 29. / May 9. } 1649. Signed by the Commiſsioners of Parliament.

May it pleaſe your Majeſty,

HAVING for a long time waited your Majeſties leiſure, for an Anſwer to the humble deſires of the Parliament of your Kingdom of Scotland, which we have in their name tendred to your Majeſty, and having received no Anſwer, or the leaſt ſatisfaction to any of them, in diſcharge of our duty to your Majeſty. We cannot but ſhew that both your affairs, and your diſtracted Kingdoms are expoſed to exceeding great prejudice by the loſſe of ſo much precious time, which (in our humble opinion) might have been much better improven for the advantage of both. And by your Majeſties intended removall hence, and our neceſſitie to return, we are ſo ſtraitned with time, that we cannot forbear any longer, to renew our humble and earneſt requeſt for a ſpeedy and favourable Anſwer, whereby your Majeſty hath a fair occaſion (if imbraced) at once to make both your ſelfe and people happie. And on the contrary, the great danger and irreparable loſſe, will inevitablie enſue upon further delaying, or refuſing to give ſatisfaction to ſo juſt and reaſonable deſires, is obvious to anie impartiall eye, ſo that if now when by the power and prevalencie of Sectaries, and their Army in England; that Kingdome is brought under foot, and almoſt loſt; and when Ireland is in very great diſtractions, your Majeſtie ſhall not ſpeedilie and hartilie ſatisfie the deſires of your Majeſties Kingdome of Scotland, eſpecially concerning Religion, and the Covenant, which is the ſtrongeſt band to tye Subjects to their King. It will weaken the hands of all thoſe who love Religion, and Monarchicall Government in England, and wholly diſcourage, and diſinable Scotland to doe for your Majeſty; by that means alſo your enemies will be incouraged, and ſtrengthened to proſecute their wicked deſignes, and your good people in England will be forced to couch under the burden, and ſubmit to the yoak, diſpairing of any means of releiſe, or deliverance; We intreat your Majeſtie to remember, that opportunitie once loſed, cannot be regained; the neglect, and not taking hold whereof, when ſo frequently offered, hath been the chief cauſe of the troubles of your Royall Family, and hath to our unſpeakable griefe proven ſad and fatall at laſt; We are confident that your Majeſtie rightly pondering and laying theſe things to heart, will in the entrie of your Reign ſo much cheriſh the hopefull expectation of your Loyall people, as that they may at length look for the wiſhed ends of the long continued troubles, and may live a comfortable and quiet life, under the ſhaddow of your Majeſties proſperous and happy Government. (12)

May 17/27 1649. Signed by the Commiſsioners of Parliament.

HIS MAJESTIES Anſwer, more expreſſie relating to the Propoſitions.

(13) I HAVE conſidered the ſeverall Papers and Propoſitions delivered to me by you, and do aſſure you, that I deſire nothing more, then that I may intirelie unite the hearts and affections of all my good Subjects of Scotland to me, & amongſt themſelves, als wel for the Honor, Peace and Proſperitie of that Kingdom, as that they may jointly and unanimouſly aſsiſt me, in the revenge of that horrid and impious murther of my Father, and the recoverie of my juſt Right in my other Dominions, (to which they are equally ingaged by the Laws of God, and of that Kingdom) and to the obtaining of ſuch an Union, I will conſent to all that in Conſcience and Honour I may, without impoſing on my other Kingdoms. As firſt I will maintain, confirm and defend, the Government Eccleſiaſtical and Civill of Scotland, as is ſetled by Law, and the Ancient known Laws of that Kingdom, as likeways all ſuch Acts of Parliament as have been actually conſented unto by the King my Father, being perſonally preſent in Parliament, or by his Commiſsioners lawfully Authorized by him; and particularlie, the Laws concerning the National Covenant, the Confeſsion of Faith, and Presbyterial Government of that Church; Touching that part of the League and Covenant which concerneth my other Kingdoms of England and Ireland, it is not in my power juſtly to take any Reſolution therein, without the advice of my reſpective Parliaments of theſe Kingdoms, by whoſe advice and conſent onely, Lawes are there to be made and altered, Neither can I conſent to any thing, which ſhall oppoſe or diſturb the Peace lately concluded in Ireland, but I am very willing to refer the full conſideration of the ſaid League and Covenant, and of all the other particulars you mention (as to England) to a free Parliament to be conveened there by my writ, as ſoon as the condition of that Kingdom will permit me ſo to do; By whoſe advice I am reſolved to Govern my ſelf therein; in the mean time, as I am very ready to do all that is in my power to the ſafe and quiet protection of my people in Scotland, under the benefit of the Laws of that Kingdom, as likeways further to gratifie them in all that may really tend to their welfare; So I ſhall expect that obedience and duty from them in the exerciſe of my Royall power, as is due to me by their allegiance, To which they ſubmitting, and for the burying all bitterneſſe and animoſities which the former diſtractions and diviſions may have produced, and the better effecting the happy union before mentioned, I am very willing and deſirous, to conſent to any Act of Oblivion and Indempnity to all perſons of what condition ſoever, of that Kingdom of Scotland, excepting onely ſuch perſons (if any ſuch there be in, or of that Kingdom) that ſhall hereafter upon ſufficient and due evidence in a Lawfull tryal, be found actually and expreſly guilty of that late, unparaleld, horrid Act, of the murther of their late Soveraign. And if it ſhall appear unto me, that the League and Covenant containeth any thing in it not compriſed in theſe Acts concerning the Nationall Covenant, and Presbyteriall Government of the Church of Scotland, & neceſſarily to the welfare of the ſaid Church and Kingdom, without reference to England or Ireland; I ſhall upon the firſt ſetling of ſuch an Union, and the paſsing of ſuch an Act of Oblivion as is before mentioned, apply my ſelf to give full ſatisfaction therein. Paſſionately deſiring to remove all occaſions of miſunderſtanding between my ſelf and all my good Subjects of that my Kingdom of Scotland; and what is not particularly anſwered at this time, ſhall be ſupplied by an expreſs, whom I will diſpatch into Scotland as ſoon as conveniently I can.

May $\frac{19}{29}$ 1649. Signed,
CHARLES REX.

. . . . . .

May it pleaſe your Majeſty,

(14) ALTHOUGH we were much troubled that your Majeſties Anſwer ſhould have been ſo long delayed, at ſuch a time when Reſolution and Action were ſo neceſſary, yet have we now received it with much greater grief, finding that your Majeſties Counſels lead you to reſolutions ſo contrary to the ſatisfaction deſired by us, in name of the Parliament of your Kingdom of Scotland, and ſo far from ingaging them, to hazard their lives and fortunes in your ſervice (which with ſo much affection they deſired) as that by this ſtrange Anſwer, the diſtance is made greater than before, nay by it, far leſs is offered for Religion, the Covenant, and the Laws and Liberties of that Kingdom, then was by your Royall Father; even at that time when the difference amongſt them was greateſt: yea, many of the moſt materiall Acts agreed upon by the large Treaty ratified by him, are by this Anſwer called in Queſtion: His Majeſties Conceſsions in the Iſle of Wight did bear, that he would confirm the ſolemn League and Covenant in both Kingdoms for all that had taken it, or ſhould take it, and that he would ſettle Presbyterial Government, and the Directorie of Worſhip in England (although theſe Conceſſions were found unſatisfactory) yet your Majeſtie is not pleaſed to go ſo much as that ſame length, or to offer any preſent and expreſſe ſatisfaction as to the Solemne League and Covenant, Confeſsion of Faith, Directory for Worſhip, and Catechiſme in either of the Kingdoms. And although your Majeſty profeſſes that you will confirm and defend the Civill and Eccleſiaſticall Government of Scotland, as they are ſetled by Law; yet by reſtricting your Conceſſions to ſuch Acts of Parliament, as

have been actually conſented to by the King your Father, Being perſonally preſent, or by his Commiſsioner authorized for that effect, at once all our Lawes and Parliaments theſe eight yeares by paſt, ſo often acknowledged by our late Soveraign, are now by this your Majeſties Anſwer laid aſide, and utterly rejected, ſeeing it hath pleaſed your Majeſty ſo directly to queſtion the cleer and undoubted Lawes and conſtitution of the Parliament of your Majeſties Kingdome of Scotland, upon that ground; We moſt humbly crave leave to remember your Majeſtie, that as the Parliament held in the yeare, 1561. without the preſence of the Queen, or her Commiſsioner was ever acknowledged by her Majeſtie, and your Royall Predeceſſors ſince, as a lawfull Parliament; ſo your Royall Father, our late Soveraign was pleaſed, in his Wiſdom and Juſtice to acknowledge all Acts of the Parliament 1640. as Lawes to be obſerved, by all his Subjects of that Kingdome: Notwithſtanding, that neither he, nor any Commiſsioner from him, was therein preſent; amongſt which, is that Act for the conſtitution of Parliament in all time comming; whereby it is declared and ordained, that that Parliament holden by the Nobilitie, Barons, and Burgeſſes, or their Commiſsioners as the true Eſtates of the Kingdom; is, and ſhould be accompted a compleat and perfect Parliament, and to have the ſame power, authority, and Juriſdiction as abſolutely and fully as any Parliament formerly hath had within the Kingdom in time bygone; As likewiſe the 17. Act of the ſame Parliament, intituled, Act Statutarie, appointing Parliaments to be holden once every three years, wherein the appointing of the time and places is to be the laſt Act thereof, by the Authority of the which Act the Parliament 1641. wherein his Majeſty was preſent; did meet, and by the laſt Act thereof, appointed the firſt Tueſday of January in Anno 1644. to be the day of meeting and conveening of the next Triennall Parliament: His Majeſtie and the Eſtates Declaring, that the publication of that Act ſhould be als ſufficient for conveening of the whole Members of Parliament, as if all former Solemnities were uſed; By Authority of which Parliament the ſeverall ſubſequent Seſsions of Parliament have conveened, and have often by Treaties, Letters, and Meſſages, ſolemnly been acknowledged by your Father: and yet theſe are the Parliaments queſtioned by your Majeſtie, wherein if you ſhould inſiſt, it would be no leſs then to ſtrike at the fundamentall Laws of the Kingdom, nor could the Subjects there be in ſecurity of any thing whilk they poſſeſſe. Were it not to make the gap wider, we would particularly ſhew, that your Majeſties Anſwer is ſo far from containing ſatisfaction to our Deſires, that it drives at the ſubverſion of them all, and the diſſolving of that Solemn Covenant, which for the good of Religion, the Honour and Happineſs of the King, and the peace and ſafety of his Kingdoms, was ſworn and ſubſcribed before the moſt high God, by your Majeſties good Subjects of both Kingdoms, from which they will not depart, nor ſuffer themſelves to be withdrawn, by any trouble or difficultie that they can meet with. But we do purpoſely forbear further to inſiſt upon particulars, deſiring rather your Majeſtie to take the buſineſs again unto your moſt ſerious conſideration, and that (laying aſide the occaſion of ſuch dangerous debates) it may pleaſe your Majeſtie to give the ſatisfaction deſired, to the juſt and neceſſarie Propoſitions of your Kingdome of Scotland, concerning Religion, and the Solemne League and Covenant, and the determination of matters Civill by the Parliament, and matters Eccleſiaſtical by the Aſſemblies of the Church of that Kingdome: That thereby your Majeſtie may gain not only the outward obedience, but alſo the inward affection of your good people to your Royall Perſon, Authority, and Government, which is the onely way to unite and ſtrengthen their hearts and hands, and ſo to ingage that Nation intirely to perform to your Majeſtie all the duties of faithfulneſſe and loyalty. But if (by the Inſtigation and perſwaſion of pernicious Counſell) your Majeſty thus (as we wiſh it may never enter into your Royall heart) ſhall refuſe & reject theſe reaſonable deſires wherein there is nothing asked, but your Majeſties aſſent to theſe things; the particulars whereof, have been by Parliament inacted before your Majeſties comming to the Crown, and by the people univerſally received and obeyed as Law, as it will be very grievous to them, ſo it will conſtrain them in ſuch an extremitie, to doe what is incumbent to them for preſerving Religion, and the Kingdom from ruine; and we are confident that it ſhall appear to the world with how much Humilitie, Affection and Loyaltie, they have carried themſelves towards your Majeſtie, ſince the beginning.

May 22. } 1649. June 1. } Signed by the Commiſſioners of Parliament.

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May it pleaſe your Majeſty,

AT your Majeſties deſire we did forbear to inſiſt upon that firſt Paper which we offered to your Majeſtie, anent the removing of James Graham as a perſon Excommunicate by the Church, and forefaulted by the Parliament of Scotland; and now having received no Anſwer nor ſatisfaction from your Majeſtie thairanent, but that he ſtill preſumes to intrude himſelf into your Majeſties preſence, and pretending Commiſſion from your Majeſtie, hath given Warrant to ſome Officers to Levie Forces, which muſt be underſtood to be againſt the Kingdom of Scotland, he having ſent ſome of his complices thither; Therefore it is our humble deſire, that he may be diſcharged your Royall preſence and Court, and that your Majeſtie would be pleaſed to let us know whether any ſuch Commiſsion be (15)

granted to him or not, at this time whileſt we are expecting your Majeſties Anſwer to the deſires of that Kingdom.

May 22. } 1649. June 1. } Signed by the Commiſsioners of Parliament.

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HIS MAJESTIES Anſwer.

(16) I AM much unſatisfied with your Papers of the firſt and ſecond of this month, in Anſwer to mine of the 29. of May, finding by them that my reall endeavours to give all juſt ſatisfaction to my good Subjects of Scotland, are undervalued, and miſinterpreted; and obſerving in them ſeveral inferences, oppoſing the natural ſenſe and true intent of what I have propoſed, with moſt intire intentions for the good of that Church and Kingdom, and unſeaſonably ſtirring uſeleſſe queſtions, neither properly ariſing out of any thing contained in any of the former Papers, nor conducing to the Common Peace: But neither theſe nor any diſcouragements ſhall prevail with me, to omit any thing that may tend to the Peace and Happineſs of all my good Subjects of Scotland; To which I ſhall moſt affectionately to my utmoſt power, (upon all occaſions) apply my ſelf, according to the duty which I owe to the Almighty GOD, in the exerciſe of my Royall power, for the good of my people, in order whereunto, I ſhal with convenient ſpeed, ſend you by the Expreſs mentioned in my laſt Paper, the more particular Anſwer I then promiſed: I ſhall likewayes more fully expreſs my ſelf concerning the new matter contained in theſe Papers, and ſhall particularize, what I now complain of in them. In the mean time, I expect and require from all my Subjects of Scotland, ſuch obedience as is due to me their King, by the Laws of God, of nature, and of that Kingdom.

Signed,
C R.]

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ACT anent giving in of Quarterings.

82 THE Eſtates of Parliament has Ordained and Ordains That the whole Shires within this Kingdom ſhall give in, and inſtruct their Quarterings ſince the moneth of November laſt, at the Particular Diets following, viz. Theſe on this ſide Tay, betwixt and the Firſt day of July next to come, And theſe upon the North ſide of Tay, betwixt and the fifteen of July next, With certification that theſe who ſhall not give in and inſtruct their Quarterings, betwixt and the reſpective diets foreſaids, ſhall have no allowance thereof in their Maintenance.

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83 ACT Ordaining Francis Ruſſell to be put to liberty forth of the Wardhouſe of Edinburgh.

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LETTER ſent from the Eſtates of Parliament to the Queen of Sweden [certifying her of the late proceedings in England and of their abhorring them and their proclaiming of King Charles the Second, and that ſhe would adviſe his Majeſtie to apply himſelfe to give all juſt ſatiſfaction to his loyall and faithfull ſubjects who really endeavour to maintayne the reformed religion and his Majeſties perſon and authority together with their juſt libertyes according to their ſolemn league and Covenant] 84

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REMIT Relict of umquhile Captain Macknachtone to the Committee of Money. 85

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PROTECTION the Laird of Barnes. 86

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ACT Ordaining fourteen dayes pay to bee payed to the Garriſons of Perth. 87

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ACT anent the Earle of Atholl his reſiding in Edinburgh. 88

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ACT ſuſpending the payment of the maintenance owing by the Country of Atholl, preceding the firſt of October, 1648. upon the conditions therein contained. 89

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ACT anent fortifying ſome convenient place in Stranaver, with power granted to the Earle of Sutherland for lifting of men for that effect. 90

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ACT in favours of the Heretors of Campſie and Moniaburgh. 91

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ACT and Precept in favours of Henry Dowglas. 92

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COMMISSION to certain perſons to compare the Maintenance with the pay of the Army. 93

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ACT adding the Earle of Caſsills, Brodie, Libbertoun, and Alexander Jaffray to the Committee of Diſpatches.

THE Eſtates of Parliament Addes the Earle of Caſsillis, the Lairdes of Brodie and Libbertoun and Alexr Jaffray to the Committee of diſpatches, And ordaines them to ſitt and have voyce amongst them. 94

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95 ACT adding the Earle of Caſsils, Brodie, Libbertoun, and Alexander Jaffray to the Committee of Valuations.

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ORDER anent Arms and Ammunition.

96 THE Estates of Parliament, Gives power to the Committee of diſpatches To take ſuch courſe for bringing the armes and Amunition belonging to this Kingdome from Carliſe and Ireland as they thinke fitt.

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XIX JUNII.

ACT in favours of the Town of Edinburgh, anent the Stipends of ſix Miniſters out of the Houſe Mails.

97 THE Eſtates of Parliament, Having taken into conſideration the Petition of the Lord Proveſt, Bailyes, and Counſell of Edinburgh, in name of the Miniſters and whole Inhabitants thereof, deſiring that the annuity of five Merks upon every hundred Merks of Mail within the ſaid Town impoſed in the preceding Seſsion of Parliament, for making up the ſum of nineteen thouſand Merks yearly for the Maintenance of ſix Miniſters, might be augmented, and a greater quota impoſed for making up that ſum according to the Declaration and Proviſion in the Act of Parliament made thereanent, In reſpect that after exact ſurvey of the whole Mails, the annuity of five upon every hundred, will not make up the ſaid ſum of nineteen thouſand Merks; And the Eſtates having conſidered their former Act of Parliament made for that yearly impoſition towards the maintenance of ſix Miniſters, and the Declaration and proviſion therein containd; And being very willing that the good town be well furniſhed with a ſufficient number of able and well qualified Miniſters, Do therefore (with the augmentation of the annuitie after ſpecified), Ratifie, Approve and confirm the ſaid Act of Parliament, whereof the tenor follows.

AT Edinburgh the ſecond day of March, the year of God, 1649. years. THE ESTATES OF PARLIAMENT now preſently conveened in this ſecond Seſſion of the ſecond Triennall Parliament, By vertue of an Act of the Committee of Eſtates, who had power and Authority from the laſt Parliament for conveening the Parliament, Having conſidered the Petition of the Town of Edinburgh for approving and ratifying the Act of the Committee of Eſtates for a yeerly impoſition upon the Houſe Mails and others for the Maintenance of ſix Miniſters, Together with the Report of the Committee of Bills thereanent: And being very ſenſible of the conſtant affection of the good Town of Edinburgh to Religion, and their eminent and exemplary zeal and deſire for providing and eſtabliſhing a ſufficient number of pious, able and well qualified Miniſters for their ſeverall Kirks; And taking alſo to their ſerious conſideration the vaſt charges they have been at in building of their Kirks and other publick Works, in advancing great ſums of money for the uſe of the publick towards the Maintenance of the Cauſe, and the promoting the Reformation, and the great loſſes they have ſuſtained ſince theſe great troubles and diſtractions; And being deſirous to encourage and enable them towards the maintaining and providing of a ſufficient number of able and well qualified Miniſters; Therefore, The ſaids Eſtates of Parliament, after ſerious conſideration of the premiſes, And of the ſaid Petition of the good Town and Report made thereanent, Do Ratifie and Approve the Act of the Councell of the ſaid good Town of Edinburgh, with the advice and concurrence of their Neighbours upon the twenty day of October laſt by-paſt, concerning their Reſolutions to have twelve Miniſters conſtantly within the ſaid Burgh: As alſo, do Ratifie and Approve the ſaid Act of the late Committee of Eſtates of the twenty eighth day of December laſt, for yeerly Impoſition of the ſum of nineteen thouſand Merks upon the Houſe Mails within the ſaid Burgh, To be a conſtant Proviſion for ſix of the twelve Miniſters of the ſaid Burgh, with the alterations and additions following: And the Eſtates of Parliament conſidering, That the providing and maintaining of the ſaid ſix Miniſters doth concern the Worſhip of God, and tend to the propagating and maintaining thereof in the chief City of this Kingdom, from which none that are partakers of ſo great a benefit will in conſcience withdraw or exeeme themſelves without great guiltineſſe before God; Therefore the ſaid Eſtates of Parliament, Do hereby Statute and Ordaine, that the yearely Stipend of ſix Miniſters be impoſed and laid upon the whole Rents and Mails of all the dwelling Houſes, Chambers, Booths, Cellers, and all other Houſes high and low paying Mail within the ſaid Town, Whilk Impoſition ſhall be paid by the Inhabitants and Poſſeſſors, And that without any exemption or exception of any Houſe of whatſomever holding or nature they be of, or of any perſon or perſons of whatſomever degree, quality or place they be of, upon any priviledge or pretence whatſomever. And that the ſaid Impoſition may be certain and effectuall, It is Ordained, that upon every hundred Merks of Mail throughout the whole Town, the annuitie of five Merks be impoſed upon the whole Rents and Mails foreſaids, That thereby the ſum of nineteen thouſand Merks may be made up yearly, to be a conſtant proviſion to ſix Miniſters within the ſaid Burgh, That every one of the ſaids ſix Miniſters may have yearly, the ſum of two thouſand, ſeven

hundred Merks for his Stipend, and four hundred Merks for his Houſe Mail, and the four hundred Merks remaining to be allowed for the waſte houſe Mails, and for the Collection of the ſaid Impoſition; The payment of which Impoſition and annuitie ſhall be Quarterlie each three moneths by advance, The firſt Quarters payment beginning at Martimas laſt by-paſt for the firſt Quarter, and the next Quarter being the firſt of February laſt, for the moneths of Februarie, March and Aprill and the third quarter the firſt of May, for the moneths of May, June and July, And the laſt quarter the firſt of Auguſt for the Moneths of Auguſt, September and October, And ſo forth every year there-[after] quarterly each three Moneths. And that the Mailes and rents of all the houſes, chambers, booths, and others aforeſaid may be truly known, there ſhall be an exact ſurvey thereof made and taken upon the oathes of the Inhabitants, and thereafter the proportion of five of every hundred impoſed thereupon: And in caſe after exact trial upon oath by the ſurveyers in manner aforeſaid, It ſhall be found that the impoſition of five upon the hundred will not make up the ſaid whole ſum of ninteen thouſand Merks, That upon report to the Parliament of what ſhall be wanting and inlaiking, The Eſtates of Parliament will take to conſideration what further quota ſhall be impoſed for making up the ſaid whole ſum of ninteen thouſand merks for the conſtant and yearly proviſion of the ſaid ſix Miniſters. And alſo it is hereby Ordained That the ſaid impoſition ſhall alwayes be Collected by the Deacons of the Kirk, to be delivered to the Treaſurer of the Kirk ſeſſions, And is not to come in the hands of the Town Counſell, nor to be applied to any other uſe nor is abovewritten. It is alwayes declared, that the foreſaid impoſition is to be laid upon the Inhabitants, Tenents and poſſeſſors without exception or exemption of any upon what Priviledge or pretence whatſomever, And the ſaid Impoſition ſhall no wayes affect the ground, right or propertie of the houſes tenements boothes and others aforeſaid, But that the proportionating and diviſion of the foreſaid ſum to be payed by the inhabitants according to their mailes is onlie to be the rule and ſquare for taxing the inhabitants for payment thereof, at the rates of the mailes payed by them and not to affect the ground as is aforeſaid, The tenants, inhabitants and poſſeſſors, alwayes being ſubject in payment thereof, and lyable to perſonall and reall execution for the ſame. And ſeeing by the foreſaid Annuitie and impoſition, the ſaid Town of Edinburgh will be the more enabled to entertain twelve Miniſters, It is hereby Ordained that they uſe all diligence for getting their Kirks provided with twelve Miniſters, and for keeping alwayes that number full for the good and Inſtruction of the whole Inhabitants thereof; And when any of the number of the ſix Miniſters provided by the foreſaid Impoſition ſhall vaik, the Stipend or Stipends of any of theſe ſix vakand ſhall be diſpoſed upon ad pios uſus, conform to the Act of Parliament, by the Kirk Seſsions of the ſaid Town with adviſe of the Committee aftermentioned appointed for deciding of Queſtions and differences. And becauſe, It is not intended that any prejudice or preparative ſhould be hereupon inferred, to the Priviledges and Liberties of the Colledge of Juſtice, or that any Member thereof ſhould be unequally burdened, Therefore for preſerving the Lords of ſecret Counceil and Seſsion, and the hail Members of the ſaid Colledge of Juſtice, free from any prejudice to themſelves or their Priviledges, It is Ordained, that the ſaid annuity and impoſition ſhall be laid upon all the Inhabitants, Tennents and Poſſeſſors of the Houſes, Chambers, Boothes, and others aforeſaid within the ſaid Burgh, after exact ſurvey by four ſworn men in every Paroch, who ſhall ſurvey and value the Houſe Mails aforeſaid, whereof three ſhall be Citizens, to be choſen and ſworn by the Town Councell, and the fourth ſhall be nominate choſen and ſworn by the Colledge of Juſtice or ſuch as they ſhall appoint; And if the Colledge of Juſtice refuſe or delay, being required by the Magiſtrates of Edinburgh as follows, viz. The Preſident of Seſsion and Dean of Facultie, to be required in time of Seſsion, and any of them to be required in time of vacancie, to the effect foreſaid upon ſix dayes, In that caſe the Magiſtrates and Councell of Edinburgh to have power after the requiſition and expiring of the ſix dayes, to nominate, chooſe and ſwear ſuch of the Colledge of Juſtice as they ſhall think fit, for ſurveying and valuing of the ſaid Houſe-Mails: And if the Members of the Colledge of Juſtice, ſhall either not accept, or not concur in the ſaid Imployment being required, Then, and in either of thoſe caſes, the remanent of thoſe perſons choſen and ſworn by the Town Counſell, ſhall have power to go on in the ſaid Imployment, and act by themſelves without the Members of the Colledge of Juſtice, not accepting nor concurring as ſaid is. And if any queſtion or debate ſhall happen to ariſe betwixt the ſaid Collectors or any of the Members of the Colledge of Juſtice, concerning the valuing, exacting or uplifting of the proportions impoſed, or concerning the payment thereof, The Eſtates of Parliament Think it neceſſary that there be a Committee appointed for deciding of Queſtions, And therefore Do hereby Appoint Sir John Hope of Craighall Knight, one of the Ordinary Lords of Seſſion, Sir William Scot of Clerkingtoun, one of the Clerks of Seſſion, John Dickſon of Hartrie, and Mr. David Heriot Advocate for the Colledge of Juſtice; The four Bailyes of Edinburgh preſent and to come for the ſaid Burgh, Or any five of them, two alwayes being Members of the Colledge of Juſtice, and the Proveſt of Edinburgh preſent and to come ſupernumerary, to be a Committee for the effect aforeſaid; Authorizing them and the Quorum aforeſaid, with

their full power to judge, decerne and determine all queſtions and differences aforeſaid ſummarly, and to do all things neceſſary for that effect, without any interruption whatſomever; Upon whoſe ſentence execution ſhall follow without any interruption by ſuſpenſion or other trouble: And as any of the places of theſe four appointed for the Colledge of Juſtice ſhall vaik by not acceptation, deceaſe or otherways, That the ſame be filled by the Colledge of Juſtice, The Preſident and Dean of Facultie in time of Seſsion and either of them in time of vacancy being required for that effect: And in caſe the Colledge of Juſtice ſhall not fill the places within ſix dayes after the ſaid Requiſition, the ſaid vacand places ſhall be filled by the remanent Members of the foreſaid Committee. And it is hereby Declared that for removing all Queſtions and differences, the exaction of all by-gone dues, by vertue of any former Acts of Councell, Seſsion or Parliament, is hereby diſcharged to ſuch of the Members of the Colledge of Juſtice or others as do conſent and give ready obedience to this preſent Act and make no obſtruction thereunto at any time hereafter. AND THE ESTATES Having now found by the value of the whole Houſe-Mails truly & faithfully taken up[on] diverſe ſurveys of ſworn men, and now laſt by an exact ſurvey of the Elders and Deacans of the Seſsions, with the adviſe of the Dean of Facultie and others Members of the Colledge of Juſtice, that the annuity of five on the hundred will not make up the ſaid ſum of nineteen thouſand Merks, Do Judge it neceſſary towards the Maintenance of ſix Miniſters, that the quota of the ſaid Annuity be augmented one Merk more upon every hundred: And therefore do hereby Decern and Ordain, that an Annuitie of ſix Merks, be impoſed upon every hundred Merks of the whole Mails and Rents of all the Houſes, Chambers, Boothes, Cellers, and other Houſes high and low, with the pertinents within the ſaid Burgh, That the beforementioned ſum of nineteen thouſand Merks may be collected yeerly for the Maintenance of ſix Miniſters by the Deacons of the Kirk for the time being, in the manner before expreſſed, The firſt quarters payment thereof, beginning at the Terme of Martinmaſs laſt, for the Moneths of November, December, and January, the ſecond Quarters payment at the firſt of February for the moneths of February, March and April, The third Quarter at the firſt of May laſt for May, June and July; And the laſt Quarters payment being upon the firſt of Auguſt next for the moneths of Auguſt, September and October, And ſo forth quarterly thereafter in all time coming in manner aforeſaid. Requiring and Commanding the Deacons of the Kirk, To collect preſently and gather the foreſaid Annuitie of ſix of every hundred of the ſaids Mails and Rents for the three Quarters by-gone and quarterlie in all time coming, and to deliver the ſamen to the Treaſurer of the Kirk Seſſions in manner abovementioned, And that the Magiſtrates of the ſaid Burgh ſee this whole Act and Ordinance obeyed, performed and put to due execution according to the tenor thereof, Authorizing them with full power to doe every thing neceſſary for that Effect, and The Eſtates alſo Ordain Letters of Horning and all other executorials neceſſary to be derect upon this Act in form as effeirs.

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ACT in favours of the Laird of Lawers. 98

. . . . . .

ACT in favours of the Laird of Lawers. 99

. . . . . .

ACT in favours of the pariſh of Dumbartane anent the dividing of the pariſh of Kirkpatrick. 100

. . . . . .

REMIT in favours of Alexander Campbell of Pennymoir. 101

. . . . . .

REFERENCE in favours of Gland Paull to the Lairds of Pollok and Glanderſtoun. 102

. . . . . .

ACT in favours of Maſter Robert Barclay contra Sir William Dick. 103

. . . . . .

ACT in favours of James Wallace. 104

. . . . . .

XXI JUNII.

ACT for purging the Armie.

THE Eſtates of Parliament conſidering the manifold evils both of Sin & puniſhment wherewith this Land hes been afflicted, By reaſon of the Malignant Inſolences and profanity of many in our Armies, And calling to mind that they have lately made a ſolemn confeſſion & acknowledgement unto God thereof as one of the publick Sins of the Land, And that they have Engaged themſelves for purging of judicatories and Armies, and intruſting and employing none but ſuch as are of known good affection, and to the effect that none be ſuffered to bide in the Army who are of a profane, Malignant & Scandalous carriage; Having therefore according to their vows, and for removing and preventing all dangers or inconveniences that may fall out thereby, and for remeding and relieving the exorbitant burthens & oppreſſions of the country becauſe of 105

ſuch mens inſolences, Thought neceſſary to grant power and Commiſſion to ſome well affected perſons in ſeverall Shires for viſiting the Troops and Companies Quartered therein, and for ordering and directing the caſhiering or otherwayes puniſhing of them as they after tryal ſhal find their miſcariage to deſerve, And for that effect, The Eſtates of Parliament, grants Commiſſion, warrand and power to

To viſit the Troops and companies lying within the Shire of and receive all complaints againſt them, to take all manner of tryall of their carriage by information or examination of the country people with whom they have been quartred, or other honeſt perſons of the Shire, or Officers or Souldiers in theſe troopes either upon their oathes or otherwiſe as they ſhal think fit, And to give up to the chief Officer upon the place the liſt of ſuch officers & ſouldiers as they ſhal find guilty of any of the faults contained in the inſtructions given to them by this preſent Parliament, That the ſaid officer fourthwith ſecure their horſes and armes, & remove them out of the army, or puniſh them otherwayes as they ſhall deſerve, And in caſe the ſaids Commiſſioners ſhall upon pregnant preſumtion think fit before tryall, that any officer or Souldier be ſecured untill they be tryed, That the chief officer upon the place, upon the deſire of the ſaids Commiſſioners, ſhall accordingly ſecure the ſaids perſons with their horſes and Armes.

ARTICLES for purging the Army, firſt concerning Officers.

I. THAT if their be any officers in the army that ſerved under James Graham, the late Marqueſſe of Huntlie or their adherents againſt this Kingdom and cauſe, that theſe be caſhiered and put out of the army.

II. THAT no officer that ſerved in the late Engagement againſt England ſhall be imployed as Officer in the Army, or be permitted as a common ſouldier, or ride with a troop or company in the Army, but ſhall be caſheired and put out of the Army, unleſſe he have been admitted by conſent of the Parliament or Committee of Eſtates, and Generall Aſſembly or their Commiſſion.

III. THAT any officer who after tryall ſhall be found guilty of Malignant and diſafected ſpeeches, as Railing and enveying againſt the Cauſe and Covenant, or againſt the Miniſtry, or againſt the preſent Civill Government, and ſuch as are of a profane carriage, or are guilty of oppreſſion, be caſhiered and put out of the Army.

IIII. THAT any officer who after tryall ſhall be found to have refuſed ſufficient Souldiers rightly qualified, and hath taken mony for them, & interverted the ſame either in whole or part to his own private uſe, and Levied Malignant, diſaffected or profane and Scandalous men in their rooms to compleat his number, That the officer that ſhal be found thus guilty be caſhiered & impriſoned till he make reſtitution of the mony to the Commiſſioners for the uſe of the publick.

V. THAT all Officers that levied mony for ſouldiers and did not compleat their number, ſhall reſtore the double to the Commiſſioners for the uſe of the publik, and be further puniſhed as the general perſons ſhall think fit.

SECONDLY, Concerning Souldiers.

I. THAT all Souldiers that ſerved under James Graham, the late Marques of Huntly or their adherents againſt this Kingdom and cauſe, be caſhered and put out of the Army.

II. THAT all Souldiers that want ſufficient Teſtimonials, or are found to be guilty of railing, unleſſe they be of known & approven integrity, within a convenient time to be allowed by the Commiſſioners for that purpoſe, be caſhered and put out of the Army, and their horſes and Armes taken from them.

III. THAT all ſouldiers, albeit ſuch as have teſtimonials, as are found to be guilty of railing or reviling againſt the Cauſe and Covenant, or againſt the Miniſtry, or againſt the preſent civill government, And all ſuch as are Blaſphemers and mockers of Piety, or deſpiſers of the *Worſhip of God*, or profaners of the Lords day, or oppreſſors of the people, or drunkards, or plunderers, or unclean perſons be caſhered and put out of the Army, and their horſe and Armes taken from them.

IIII. THAT no perſon that ſhall maintain any errour or practice contrary to the Doctrine, Worſhip and Diſcipline of this Kirk, or againſt the civill government by King and Parliament according to the Covenant and Declarations of this Kingdom, ſhall be permitted in the Army to ſerve as officer or Souldier but ſhall be removed and caſhered.

V. THAT the places of ſuch officers as ſhall be caſhered and removed out of the Army, being under the degree of ane captain be filled for this time by the Colonel of that Regiment with the adviſe & conſent of the Commiſsioners of the reſpective ſhires where the ſamen are for the time appointed for purging the Army. And that the ſupernumeraries, women and pedees be purged out of the Army.

VI. THAT no officer receive into a troop or Regiment any of theſe that are purged out of the Army under the pain of caſhering, And recommends to the ſaids Commiſsioners for purging the army and the officers of the army, to fill up the places of ſuch as ſhall be purged out with ſuch of the well affected officers and Souldiers as have fled out of Ireland.

AND the ſaids Eſtates gives warrand to the perſons before named to conveen in ſuch places and at ſuch times as they ſhall think fit, With power to them to chooſe Clerks and other members of meeting, And ordaines them at the firſt meeting to give their oaths of faithfull diſcharging the ſaid Commiſſion in all the heads and articles thereof, And to report their diligence in the ſaid matter on this ſide of Tay betwixt and the firſt of Auguſt, and on the other ſide of Tay betwixt and the 15. day of the ſaid moneth under the paine of ane thouſand merks to be payed by the foreſaids perſons failing to do their diligence, And to report againſt the ſaid day.

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106 ACT in favours of the Kirk Seſsion of Cramond.

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107 RATIFICATION of a contract betwixt the Miniſter and Heritors of the Parochine of Cramond.

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108 ACT in favours of Mr. Alexander Colvill.

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ACT and Ratification in favours of the Miniſters of the Province of Argyle.

109 THE eſteats of par^t et c^o haue conſidered ane ſupplica^one given in to them be the Miniſters of the province of Argyll Craving pay^t of four Thowſand punds grantit to them formerly be precept for ther ſubſiſtances and Loiſses and for further aditioun may be added therto for ſupplying ther burnt book^s As at mair lenth is contained in the ſaid ſupplica^one Q^lk with the Opinione of the cōmittie being conſidered be the ſaids eſteats They have recomendit and recomends ſeriouſly the ſ^ds ſupplicatione with the deſire þ^of to the cōmittie of Moneyes And generall cōmiſſar That they may tak ſom effectuall courſe for pay^t to them of the ſuperplus of four Thowſand punds raiſten vnpayt And what further additione ſhall be eiked þ^to for ſupplying ther brunt bookes.

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ACT and Declaration concerning the vacand ſtipends of the Province of Argyle. 110

. . . . . .

ACT and Commiſsion for uniting and diſuniting of the Kirks of the Province of Argyle. 111

. . . . . .

ACT in favours of Colonell Robert Home, ſometime Governour of Inuerneſs. 112

. . . . . .

ACT anent the removing of Souldiers forth of the Burgh of S^t. Andrews. 113

. . . . . .

ACT in favours of Mr. James Campbell of Moy. 114

. . . . . .

PROTECTION in favours of the Laird of Merſingtoun. 115

. . . . . .

ACT in favours of the Town of Brichen. 116

. . . . . .

COMMISSION for burning of Agnes Hunter and others

THE Eſtates of Parliament now conveened Having conſidered the depoſitiones of Agnes Hunter in Painſtone, Margaret Dickſon there, and Iſobell Murray there, Taken by the Miniſters and Magiſtrats of Hadington and diverſe of the Elders of that Congregatione By the which they acknowledge and confeſse ſundrie poynts of the cryme of witchcraft And alſo Conſidering that the Preſbytery of Hadington having pervſed the former depoſitiones have found the ſamen ſufficient for futting a Commiſsion according to law. And the Eſtates of Parliament Being deſyrous to cleare the land of wickednes And that ſuch as are guilty of the cryme of witchcraft may ſuffer death according to their demeritts THEREFORE the Eſtates of Par^lt Doe Heirby give full power warrand and Comiſsion To the Laird of Lamington Patrick Inglis of Elvingſton John Cockburne Proveſt of Hadington John Aiton and Patrick young Baillies of Hadington to the effect vnderwritten Heirby Authorizing them or any tuo or thrie of them to be ane quorum To meet and fitt at vpon the day of or any vther day to be appoynted be them Call and conveane before them the ſaid Agnes Hunter Margaret Dickſon and Iſobell Mur- 117

ray for the ſaid Cryme of witchcraft cauſe them be accuſed therof and dittayes to be given in againſt them therfore ſweare receive and examine witneſſes vſe lead and deduce all maner of probation requiſite theranent Put the ſaid perſones to the knowledge of ane aſsiſe And if they be found guilty of the ſaid Cryme of witchcraft, to convict and condemne them Pronunce and give furth the ſentence of death againſt them cauſe ſtrangle them and burne their bodies to death And for that effect to hold Juſtice Courts one or mae and the ſamen als oft as need bees to continue creat Clerks Prō fiſcalls, ſerjands, demptſters, and vther members of Court needfull for whom they ſhall be anſwerable take their oathes de fideli adminiſtratione And to cauſe warne ane ſufficient number of perſons leaſt ſuſpect To paſe vpon the Aſsiſe of the ſaid witches ilk perſon vnder the paine of ane hundreth merks ſcots And generally to doe every other thing requiſite anent the premiſses that any other Judges delegated have done may doe or might have done at any tyme heirtofore in the lyke caiſe holden firme and ſtable

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XXII JUNII.

118 ACT in favour of George Leſlie of that ilk.

. . . . . .

119 ACT in favours of the Presbyterie of Glaſgow.

. . . . . .

120 ACT anent the Vniverſity of St. Andrews, and Sir John Scot of Scotſtarvet.

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121 ACT in favours of Captain Robert Hall.

. . . . . .

122 ACT in favours of Margaret Levingſtoun.

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123 ACT in favours of the Marquiſs of Argyle.

. . . . . .

124 ACT in favours of the Lady Gorgunnuch.

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125 ACT in favours of the Lairds of Glenurquie.

. . . . . .

126 COMMISSION to the Committee of monys for ſearching of the Regiſters.

. . . . . .

ACT in favours of the Burghs of Anſtruther and Pittinweyme. 127

. . . . . .

ACT in favours of the Burgh of Crail. 128

. . . . . .

ACT of addition to the revaluers of Perth ſhire. 129

. . . . . .

ACT in favours of the Laird of Halgrein. 130

. . . . . .

ACT and remit in favours of David Williamſon. 131

. . . . . .

XXVI JUNII.

ACT and Ratification in favours of Mr. Robert Wilkie. 132

. . . . . .

ACT in favours of Evan Macpherſon. 133

. . . . . .

ACT in favours of the Laird of Ceſnok, whereby he is appointed Juſtice Clerk, and one of the Senators of the Colledge of Juſtice. 134

. . . . . .

ACT whereby the Laird of Brodie is nominate to be one of the Senators of the Colledge of Juſtice. 135

. . . . . .

ACT in favours of James and Maſter David Hayes. 136

. . . . . .

ACT in favours of Gilian Wilkie. 137

. . . . . .

ACT in favours of Maſter William Strauchan. 138

. . . . . .

ACT Elizabeth Forbes. 139

. . . . . .

ACT Jaffray Irvine. 140

. . . . . .

ACT in favours of Sir James Fraſer and John Hay of Knockoudie. 141

. . . . . .

[LETTER from the Speaker of the House of Commons in England, with the Answer thereto.

TO the Right Honourable the Noblemen Commiſsioners of Shires and Burghs conveened in the Parliament of Scotland

My Lords and Gentlemen,

(1) I AM commanded by the Parliament of England, to deſire your Lordſhips to acquaint the Parliament of Scotland that they have many things of juſt reſentment on the behalf of this Nation and Commonwealth to make known and demand ſatisfaction in, from the Parliament and Kingdom of Scotland, The particulars whereof they think not needfull to mention at this time, being things ſo generally known and freſh in memory: And being deſirous in the firſt place to uſe endeavours for ſatisfaction in a peaceable way, They do therefore propound, that Commiſſioners on the behalf of each Nation reſpectively may be appointed to meet in ſome fitting and convenient place, mutually to be agreed upon, and with what convenient ſpeed may be; unto which meeting, Commiſſioners ſhall be ſent, fully authorized from the Parliament of England, and on the behalf of this Commonwealth, With Inſtructions to make known the particulars which they have to complain of, wherein, if they ſhall receive ſatisfaction, The Parliament of England are willing, and their Commiſſioners ſhall be further Authoriſed and Inſtructed to Treat and conclude a firm and ſtrict League of amity and friendſhip between the two Nations; by means wherof (if it be the will of GOD) theſe Nations may be preſerved in a laſting peace and happy enjoyment of Religion in its purity, together with their Civill Liberties, notwithſtanding the many wicked deſignes that are on foot againſt them, as well by the ſecret as the profeſſed enemies of both: This is all I have in charge, ſave only to deſire, that the Parliament of Scotlands anſwer hereunto may be returned by this bearer, who is ſent expreſſe about the ſame, And ſo reſts

Your Lordſhips humble ſervant
WILLIAM LENTHALL
Speaker of the Parliament
of England.

Weſtminſter, 23. May 1649.

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FOR the Honourable William Lenthall Eſquire, Speaker of the Houſe of Commons.

SIR,

(2) THE Eſtates of the Parliament of this Kingdom having received a Letter dated the 23 of May, 1649 ſigned by you as Speaker of the Parliament, and written in the name of the Common-wealth of England; which Titles, in regard of the Solemn League and Covenant and Treaties, and of the many Declarations of the Parliaments of both Kingdoms, are ſuch as they may not acknowledge.

AS for the matter therein contained, thoſe many things of juſt reſentment, wherein ſatisfaction is demanded from this Kingdom, are onely mentioned in the generall, and therefore cannot ſo well receive a particular anſwer: But if by theſe generall expreſſions, the late unlawfull Engagement againſt England be underſtood, They deſire that their proteſtation againſt the ſame in Parliament, and the oppoſition made thereunto by them afterward in Arms (which they never laid down untill the Gariſons of Berwick and Carliſle were reſtored unto the Kingdom of England) may be remembred, together with the Letter of the Houſe of Commons to the Generall Aſſembly of this Kirk, of the third of Auguſt 1648: And that Lieutenant General Cromwell, authorized from both Houſes of Parliament, did upon the 5 of October laſt, repreſent to the Committee of Eſtates of this Kingdom, the wrongs and injuries committed againſt the Kingdom of England in that Engagement; and thereupon did demand that they would give aſſurance in the name of the Kingdom of Scotland, not to admit or ſuffer any who have been active in, or conſenting to that Engagement, to be imployed in any publick place or Truſt whatſoever; which was not onely granted, and afterward confirmed in Parliament, but all Acts in proſecution of that engagement have been repealed, and all proceedings relating thereunto publickly diſclaimed. And if any other wrongs ſhall be made known unto us, we ſhall be ready to return ſuch an Anſwer as may give juſt ſatisfaction.

IF the Bond for Religion, Loyalty to the King, and mutuall amity and friendſhip betwixt the Kingdoms be impartially conſidered, according to the Solemn League and Covenant, and the profeſſions and Declarations of both Kingdoms, The Eſtates of Parliament think that they have juſt cauſe to complain of the late proceedings in England in reference to Religion, the taking away of the Kings life, and the changing the fundamentall Government of that Kingdom; againſt which this Kirk and Kingdom and their Commiſſioners, have proteſted and given Teſtimony, whereunto they do ſtill adhere.

AND ſince it is apparent there hath been of late in England a backſliding and departure from the grounds and principles wherein the two Kingdoms were engaged, the Parliament of this Kingdom doth propound, that the late proceedings there againſt Covenant and Treaties may be diſclaimed and diſavowed, as the proſecution of the late un-

lawfull Engagement againſt England hath been diſclaimed and diſavowed here; and that ſuch as have departed from theſe principles, and their former profeſſions, may return to the ſame: Upon which grounds they are content to authorize Commiſſioners on behalf of this Kingdom, to treat with Commiſſioners from both Houſes of the Parliament of England, ſitting in freedom, concerning all matters of juſt complaint which either Nation may have againſt the other, and for redreſſe and reparation thereof, and to do every thing that may further conduce for continuing the happy peace and union betwixt the Kingdoms, which can never be ſetled upon ſo ſure a foundation as the former Treaties, and the ſolemn League and Covenant: From which, as no alteration or revolution of Affairs can abſolve either Kingdom; ſo, we truſt in God, that no ſucceſs whatſoever, whether good or bad, ſhall be able to divert us; but as it hath been our care in time paſt, it ſhall with the Lords aſsistance be ſtill our reall endeavour for the future to keep our ſelves free of all compliance with, or inclining to the Popiſh, Prelatical and Malignant party upon the one hand; or to thoſe that are enemies to the fundamentall Government by King and Parliament, and countenance and maintain Errour, Hereſie, and Schiſm upon the other. I have no other thing in command from the Parliament of this Kingdom, but to take notice that there is no Anſwer returned to their Letter of the 6th March laſt. And ſo reſts

Your humble Servant.
LOUDOUN Cancellarius,
Præſes Parliamenti.]

Edenburgh, 26 Junii 1649.

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XXVII JUNII.

142 ACT in favours of the Tennents of Eingie and Strathbogie.

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143 ACT in favours of Colonell John Cockburne late Governour of Stirling.

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144 ACT in favours of the ſhire of Forfar.

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145 ACT in favours of James Thomſon.

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146 ACT anent the Kirk of Leith.

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XXVIII JUNII.

ACT of the Eſtabliſhment of the Army, and of the ſuſpended maintenance in the Shires and Burghs.

THE Eſtates of Parliament Conſidering how juſt & neceſſary it is for the eaſe of the ſubjects, And to eſchew many inconveniences of free quarterings and other diſorders, That the forces of this Kingdom, Horſe and Foot have an Eſtabliſhment and Conſtant pay for their entertainment according to their number; They have therefore appoynted the number of the Forces, And the eſtabliſhment of their pay, To the Officers and ſouldiers Horſe and foot as followes. 147

A LIST of the Officers of a Troope, and the Eſtabliſhment of their Monthlie pay.

TO a Root-maſter per menſem 120 l. Lieutenant per menſem 66. l. 13. s. 4. d. Coronet per menſem 50. l. Quarter-maſter per menſem 33. l. 6. s. 8. d. Corporall per menſem 27. l. Trumpeter per menſem 25. l. Smith per menſem 23. l. For a Kettel-Drummer 25. l. For a Trooper per menſem 18. l.

A LIST of the Officers of Foot, and their Monethly Pay.

TO a Colonel per menſem 200. l. Lieut. Colonel per menſem 120. l. Major per menſem 100. l. Captain per menſem 66. l. 13. s. 4. d. Lieutenant per menſem 40. l. Enſigne per menſem 30. l. Serjeant per menſem 15. l. Corporall per menſem 12. l. Regiment-Quarter-maſter per menſem 40. l. Provo-marſhall per menſem 30. l. Drummer and Piper per menſem 12. l. Captain at Armes 15. l. Souldier per menſem 9. l.

A LIST of the Generall Officers and their pay.

THE Generall his Penſion of 10000. Merks being divided in twelve parts, is monethly 555. l. 11. s. Generall Lieutenant his pay monethly being 1000. Merks: And for his Secretary 108. l. and his penſion of 6000. l. being divided in twelve parts, is monethly 500. l. inde in all per menſem 1274. l. 13. s. 4. d. Generall Major per menſem 333 l. 6. s. 8. d. Muſter-maſter per menſem 200. l. Generall Quarter-maſter per menſem 200. l. Generall Adjutant 133. l. 6. s. 8. d. Provo Generall 105. l. Generall Commiſſary per menſem 666. l. 13. s. 4. d. Commiſſary Depute per menſem 300. l. Eight Miniſters, when they are preſent, to each of them per menſem 66. l. 13. s. 4. d. inde 533. l. 6. s. 8. d. Two Chyrurgions, to each of them 40. l. per menſem. Item the Eſtates of Parliament adds to theſe abovewritten, a

Caſhier and Book-keeper per menſem 66.l. 13.s. 4.d. To the Writer of the Hiſtory of the times, per menſem 200.l. To a Captain Lieutenant, per menſem 66.l. 13.s. 4.d.

FOLLOWS a Liſt of the exeemed Maintenance in the ſeverall Shires.

ARGYLE 2097.l. Sheriffdom of Perth 300.l. Sheriffdom of Elgine 66.l. 13.s. 4.d. Sheriffdom of Nairne 80.l. Sheriffdom of Forſar 66.l. 13.s. 4.d. Sheriffdom of Inuerneſs 200.l. Sheriffdom of Aberdeen 333.l. The Sheriffdom of Stirling 66.l. 13.s. 4.d.

FOLLOWS a Liſt of the exeemed Maintenance of the ſeverall Burghs.

THE Burgh of Aberdeen 1250.l. The Burgh of Lanerick 144.l. the Burgh of Perth 500.l. the Burgh of Brichen 110.l. the Burgh of Elgine 40.l. the Burgh of Forres 25.l. the Burgh of Cullen 27.l. the Burgh of Nairn 36.l. the Burgh of Anſtruther eiſter 180.l. the Burgh of Craill 216.l. the Burgh of Inuernes 225.l. And the ſaids Eſtates of Parliament do exeem the ſaids Shires and Burghs from payment of the foreſaid Maintenance untill the firſt of November next; And aye and while the ſame be diſcharged by the Parliament or Committee of Eſtates.

ACT in favours of the Town of Edinburgh anent the fortifications of Leith.

148 THE Eſtates of Parliament, now preſently Conveened in this third Seſsion of this ſecond Triennall Parliament, Taking to their conſideration a Supplication given in by the Burgh of Edinburgh, Shewing, That the Committee of Eſtates finding it neceſſary for the ſafety, Peace and good of this Kingdom, That the Town and Harbour of Leith be well fortified and ſecured, Did Appoint the Magiſtrates of this Burgh, To go about the Fortifying and ſecuring thereof with all diligence, Authoriſing them with full power to do every thing neceſſary for that effect: And for defraying the great expenſe which neceſſarily will be laid out and beſtowed thereupon, Did aſſigne and diſpone the Exciſe of all comodities Exciſeable (except Wine, Liquors, Ale and Beer) within the ſaid Burgh and Liberties thereof, towards the reparation and fortification of the ſaids places and providing neceſſaries thereunto; And that ay and while they ſhould be repayed of their charges and expenſes in that work, As the Act of the date of the third of April 1649. at length bears: And likewayes the ſaid Committee did Authorize their Magiſtrates for caſting of ſaill and dovats in any part within a mile and a half to the ſaid place, as their Act of the date the ſixt of April bears. And ſeeing they have entred upon the ſaid work, which is ſo neceſſary for the good and ſecurity of this Kingdom: Humbly therefore craving, that the ſaids Eſtates of Parliament would be pleaſed to ratifie and confirm the ſaids Acts: And further for the better enabling the ſaid Supplicants to advance ſo great a work, that the ſaids Eſtates would Authorize the Magiſtratts of this Burgh, To take any Work-Horſes, that bring Ale, Coals, or ſuch commodities from the Country to this Town, Leith or the Cannogate with their Sleds, Creills, Hochimes, and ſuch like, and the men that attend them; And to make uſe of them for the ſaid work, paying for every horſe ſo furniſhed twenty ſhillings a day: And they humbly deſire theſe particulars, and what elſe the ſaids Eſtates ſhall finde expedient for promoving ſo neceſſary a work, As the ſaid Supplication bears, Whilk being taken into conſideration by the ſaids Eſtates of Parliament, They have Approven and Ratified, and do hereby Approve and Ratifie the foreſaids two Acts of the Committee of Eſtates of the dates abovewritten, in favours of the ſaid Burgh of Edinburgh, in the whole heads, Articles and Clauſes thereof, And give and grant full power and warrant to the Magiſtrates of Edinburgh or Baylies of Leith, To apprehend, ſeize, and take any horſe within their own Priviledges for ſerving at the ſaids Works and Fortifications of Leith at the rate of 24. ſhillings per diem: And Declare that whenſoever any Garriſons ſhall be put therein, the ſame ſhall be entertained upon the publick charges of the Kingdom: And the Eſtates give hereby power to the Proveſt, Bailyes and Counſell of Edinburgh, To name and place a Governour for the ſaid Town of Leith, Fortifications and Garriſons thereof, who ſhall have as full power and priviledges, as any other Governours of Forts or Garriſons have within this Kingdom.

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ACT in favours of [Katherine] Finlay.

THE Eſtaits of parliament having heard and con- 149
ſidered The ſupplicatione of Katherine finlay relict of vmq^{ll} capitane Leivtenane John Suyne Sheweth that q^{t}as the petitioners vmq^{ll} huſbande hauing lang and dewtifull ſ^{r}vit as capitane Liutenane to vmq^{ll} Sr Thomas Mortoune of Cambo kny^{t} colonell to ane foot regement And ſpecialy be the ſpace of ſevine monethes Imediatly preceiding that vnhappie battell of kilſyth in the whilk conflict the petitioners huſband was killed And trew it is that the tym of his deceis ther was dew to him ſevine monthes pay (being monthly Thrie ſcor of punds) extending to four hundreth and tuentie punds Q^{lk} the committie of the ſaid ſhyrefdome of fyff was ordanit to pay to the petitioner his relict be the comittie of eſteats Conforme to the Q^{lk} the comittie of the ſaid ſhyrefdome of fyff hes reallie payitt the haill officers of

the ſaid Regement ther haill areires for the ſaidis ſevine monthes The petitioner only exceptit, Wha hes nevir as ȝitt receaved any ſatiſfactione p^for (exceptand only ane monthes meanes q^lk her ſaid huſband receavit in his own tym, Wherwith he bought ane horſe q^lk was loſt in the battell of kilſyth Albeit he being bot ane ſouldier of fortoune newly com to the kingdome and having ingadged himſelf in ſeverall ſoumes of money in mounting and outreiking him ſelf and left his ſaid wyff with ſex poor fatherles childrine and on in hir bellie with no thing to mainteane hir and them vpon bot left hir ingadged in ſeverall ſoumes of money Q^lk ar as ȝitt raiſtand awand The ſupplicāt humblie deſires that the f^d^ eſteat^ of parliam^t^ wold tak hir diſtreſſed conditioune to ther conſideratione and out of ther comiſſera^o^une to tak ſom p̄t effectuall courſe for payment to hir of the forſaids areires, for maintaning of hir and hir fatherleſ Childreine and paying of the ſoumes hir ſaid huſband was ingadgit for As at mair lenth is contained in the ſaid ſupplica^o^une Quhilk with the report of the comittie of bill^ theranent Being heard and conſiddered be the ſaids Eſtaits of parliam^t^ They haue recomendit and recomendes the ſupplicant to the comittie of moneyes to taik ſum effectuall courſ for pay^t^ to hir of the ſevine monthes Areires that was dew to hir vmq^ll^ huſband extending monthly to the ſoume of threeſcore punds and in all to the ſoume of four hundreth and tuentie punds

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150 ACT in favours of Sir James Fraſer.

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151 ACT in favours of Lieutenant Generall David Leſlie, and Colonell Gilbert Ker his Officers.

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152 ACT in favours of the Towne of Perth.

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153 ACT anent the Laird of Wedderburne his 100. foot.

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154 ACT in favours of Maſter James Campbell Proveſt of Dumbartan.

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155 ACT in favours of the Lairds of Halhill.

.....

ACT anent the making up of an Garden at the ſouth end of the Parliament houſe. 156

.....

ACT in favours of Elizabeth Blyth.

THE Eſtaits of parliam^t^ Hauing taiken to ther conſidera^o^ne ane ſupplica^o^une given in be Elizabeth Blyth relict of vmq^ll^ James king merchant in glaſgow Mar^t^ King ther laufull doughter and William Wallace burges of paſlay now ſpous to the ſaid Elizabeth for his entreſſe Shewing That whair the ſaid ſupplicant haueing furniſht the ſcotiſh army in Irland be ordour of Generall Major Monro ſo much quantitie of wheit as amounted to the ſoume of Thrie hundreth Thrie ſcore ſewintyne punds eight Shillings Starling money and Hauing ſupplicat the cōmittie of Eſtaitts pairanent in marche J^mo^ vj^c^ fourtie four yeares They then fund it juſt and reaſounable that he ſhould be ſatiffiet therof out of the firſt end of the areires dew be the kingdome of England To the Scotiſh army in Irland And in caice he ſhould not have beine ſatiffied that way The ſamyen ſhould be ane publict debt of this kingdome And the f^d^ eſtaitts and ther cōmitties wald be cairfull to ſie the ſamyen payitt accordingly As the f^d^ eſtaitts act maid p^anent mair fully proportis Lyk as be ane ſupplica^o^une given in be the ſaid vmq^ll^ James king to the committie of Eſtaitts vpon the tuelff day of feb^r^ 1645 yeares Declaring ^t Showing to them the hard Eſtait he was in be reaſoun of the burdingis contractit be him And that his Creditors would ſuirly Impriſone his perſoune and vterly vndoe him The ſaid cōmittie then fund his deſyre juſt and the debt inſtructed be the act forſaid And therfor repreſented the samyen to the parliam^t^ to be grantit as they think fitt As the ſaid ſupplication and ſignature wreiten vpon the Margine thairof Alſo heirwith produced beiris And ſeeing that it pleaſed the almyghtie Imediatly therafter within the ſpace of fyve week^ to call the f^d^ James out of this Mortall lyff And that the Supplicant and hir ſaid Spous haue beine ſtill ſynſyne in great diſtreſſe and haue brought themſelvis to ane very Low eſtaite be ſatlyng and paying of his creditor^ of ther juſt debts vpon hope and expectatione That the ſaid^ eſtaits now after ſo long tyme wold ſatiffie them of the ſoume forſaid and ārent ſynſyne dew thairfore They hauing no vther meanes how to ſubſiſt and leive Therfor the Supplicant humbly deſires That the f^d^ eſtaits of parliam^t^ wold tak the premiſſ to ther conſideratioune and that they wold be pleaſed to give ſick ordour and warrant to the Receavers of the publict rentis and revenues as they may be payit of the ſoume forſaid dew to them as ſaid is and of the ārent therof ſynſyne As at mair lenth is contained in the ſaid ſupplica^o^une Q^lk with the report of the committie of bills theranent Being heard and conſidered be the 157

ſ^d^ eſtaitts of Parlia^t^ They haue recomendit and recomendis to the Committie of moneyes to tak ſom effectuall courſe for pay^t^ to the ſupplicant The ſoume of thrie hundreth Three ſcore ſewinteine pund eight ſhilling Starling money

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158 ACT in favours of Mr. Thomas Henderſon.

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ACT in favours of Margaret Menȝies.

159 THE Eſtaites of parliam^t^ hauing heard and conſiderit the ſupplica^o^ne of Margaret Meinȝies ſchawing That the notarietie of the loſſ^s^ and ſufferingis thir thrie ȝeires bygaine are ſufficientlie knawin Q^r^by the poore tennentis haveing beine ſo depauperit heaving þ^r^ houſſ^s^ brunt and þ^r^ gudis and geir takin from them That they cane heardlie gaitt thair awin Mantinence ȝitt notwithſtanding the ſupplicantis are daylie threatned with horneing And all vþ^r^ extremities that cane be vſeit againes them ffor not pay^t^ of ſome bygaine ȝeires of his Mãties few dewties awin to þe excheq^r^ Quhich few dewties thoch they be bot verie ſmall ȝitt in reſpect of the preſent ſupplicantis conditione they are not able to mak pay^t^ to them Vnles it wer to thair vtter rewing THAIRFOR the ſupplicantis humblie deſyre That þe ſaidis eſtaittis wald be þair act frie and exeime the ſupplicant and the tennentis [of the landis] belonging to hir in lyfrent off all his Maties bygaine few dewties at þe handis of the lordis of the Excheq^r^ And for þ^t^ effect To comand and ordeane Williame Murray of Keillo^r^ Collecto^r^ of the ſaid few dewties in perth ſchyre and all vtheris Collectoris that hes bene or ſall be Imployit for þ^t^ effect not to exact the ſamȳ aff the ſupplicant and þe ſaidis tennentis for bygaines Nor to trouble them in ony maner of way in tyme comeing for the ſaid bygane few dewties As at mair lenth is contenit in the ſd ſupplicatione QUHILK being takin into conſidera^o^ne be the ſaidis eſtaittis of parliament THEY have recomendit and earneſtlie recomends The ſaid Margaret Meinȝeis To the Lordis Comiſſioneris of þe Theſaurarie and to þe lordis and vtheris of the excheqir To exeim the ſupplicant and hir tennent^ſ^ from pay^t^ of any of his Maties few deuties furth of any land^ſ^ belonging to hir in tyme bygane ſince the troubles began And in tyme coming during the vaſtation of the foirſd^ſ^ Lands And for that effect To diſcharge The Collector or ſubcollector of his Maties few deuties w^t^in the ſ^r^efdome of perth To exact the ſamyn fra hir or hir ſd^ſ^ tennent^ſ^ for the foirſd^ſ^ yeires in tyme bygane ^t^ to come

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XXIX JUNII.

ACT anent Juſtices of Peace and their Conſtables.

THE Eſtates of Parliament conſidering how neceſſary it is for the Peace and good of the Kingdom, 160
To have Juſtices of Peace again eſtabliſhed in the ſeverall Shires and Juriſdictions of this Realm of Scotland: Therefore they have renewed and ratified and by theſe preſents renewes & ratifies the Act of Parliament made anent Juſtices of Peace & their Conſtables in Anno 1617. And conform thereunto, Have nominate and appointed, and nominates and appoints

To be Juſtices of peace within And gives and grants full power to them to diſcharge that office and miniſtrate Juſtice thereintill, Impoſe and exact Fynes from Delinquents, and do every other thing according to the power mentioned in the Act of Parliament 1617. yeers: And to the ends therein ſpecified: And in reſpect that by the foreſaid Act of Parliament 1617. the Juſtices of Peace are appointed to make compt to the Exchequer of the foreſaid Fynes: And the Exchequer to modifie and grant fees to the Conſtables for their pains and expenſes, And for the other charges whilk will neceſſarily be given out in the diſcharge of their Commiſſions, which hath been a mean and occaſion in time paſt to make the foreſaid Act ineffectuall and uſeleſs: Therefore the ſaids Eſtates of Parliament have repealed and reſcinded, and repeales and reſcinds that part of the Act in Anno 1617. anent the making Compt to the Exchequer of the foreſaid Fynes, With the power granted by the ſaid Act to the Exchequer for modifying of the ſaids Fees and expenſes to the ſaid Conſtables; And the ſaids Eſtates of Parliament grants power to the ſaids Juſtices of Peace to allow ſuch neceſſary charges and expences out of the ſaids Fynes as they ſhall finde expedient for advancement of the ſervice: And Ordains them to be comptable to the Parliament or Committee of Eſtates for the ſame; And becauſe there are ſundry Articles in the foreſaid Act 1617, That neceſſarily requires to be rectified which now cannot be conveniently done by the Parliament, Therefore they have Recommended and Recommends Seriouſly to the Committee of Eſtates to rectifie the ſaid Articles as they ſhall find the ſame juſt and neceſſary for the good and peace of the Kingdom, And in the mean time while the ſamen be Rectified, They have Ordained and Ordains the foreſaids Juſtices of Peace to Act and proceed in the Diſcharge of their Office according to the foreſaid Act as it ſtands in Anno 1617. And thereafter to Act and doe accordingly as the Act ſhall be rectified.

ACT Concerning the deputation of Clerks to Commiſſioners and Committees of Parliament and touching the keepers of the Regiſters of Seſſion.

161 THE Eſtates of Parliament Conſidering that by inadvertance to the right and intereſt of the Clerk of Regiſter, ſome Commiſſions have been granted in this preſent Parliament, bearing Particular power to the perſons thereinmentioned of chooſing their own Clerks, whereby the priviledge & right of the Clerk of Regiſter may be prejudged, It properlie belonging to that Office to appoynt and depute Clerks to all Commiſſioneres and Committees of Parliament as is declared by former Acts of Parliament, namelie the 24. Act of Parliament, 1641. And the preſent Clerk of Regiſter having ſpeciall right thereto by the gift granted to him of the ſaid Office, and he and his Predeceſſors having been in poſſeſſion accordingly; Therefore it being no wiſe intended to prejudge the Clerk of Regiſter, nor the priviledges, dues and intereſts of that place in any ſort, The ſaid Eſtates do Appoint and Ordain, that all perſons who are or ſhall be admitted Clerks to any Commiſsioneres or Committees of Parliament by vertue of any power contained in their Commiſsions, or by any other power or right whatſomever, not having right or deputation from the preſent Clerk of Regiſter or his Predeceſſors, ſhall come to the Clerk of Regiſter within twenty dayes after the publication of this Act, And procure and obtain deputation and right from him; Otherwayes the ſaid Clerk of Regiſter ſhall appoint and depute other Clerks to the ſaid Commiſsioneres and Committees, who ſhall be received and admitted by them to ſerve as their Clerks, And all other perſons ſhall be diſcharged from that ſervice, their admiſsion by vertue of the power granted in the ſaid Commiſsion, or by any other Right without deputation of the Clerk of Regiſter for the time notwithſtanding: And for preſerving the right and intereſt of the Clerk of Regiſter, The ſaid Eſtates do hereby diſcharge or inhibite any clauſes for giving power to any Commiſsioners or Committees of whatſomever nature to chooſe their own Clerks to be inſert in any Commiſsions to be appointed hereafter by the Parliament, without the ſpeciall conſent of the Clerk of Regiſter: And if any ſuch clauſes ſhall be foiſted in, the ſame ſhall be null and void: And the ſaid Committees and Commiſsioners are not to Act by vertue of the ſame, but the Clerk of Regiſter and his ſucceſſors ſhall appoint and depute Clerks notwithſtanding thereof: And the Eſtates of Parliament do recommend unto, and Ordain the Clerk of Regiſter for the time, to take ſpeciall care to appoint and depute able and well qualified and honeſt men in the ſaid Offices, and in any other charges and ſervices under him: And likeways that he call them to an Accompt of the diſcharge of their Offices, and particularly that the Leiges may not ſuffer by the negligence or other faults of the keepers of the Seaſings, reverſions, or other Writs appointed to be Regiſtred by the Act of Parliament 1617. He is to take ſpeciall tryall if the Duties injoyned to them by the ſaid Act of Parliament be lawfullie performed and obſerved, And to inflict the cenſure therein mentioned againſt the Tranſgreſſors; Appointing alſo Letters to be direct upon this Act, at the inſtance of the preſent Clerk of Regiſter and his Succeſſors, if need be.

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ACT and Commiſsion for revaluation of the pariſh of Aire. 162

. . . . . .

ACT in favours of the Presbyterie of Linlithgow. 163

. . . . . .

REMIT of a Quære anent the Marriage of Minors. 164

. . . . . .

ACT in favours of Colonell Gilbert Kers hurt ſouldiers. 165

[THE humble deſyre of Collonel Gilbert Kerr in behalf of the partie that was in the north

THAT ſince the parliament hes beine pleaſed to giv the troupers of the partie thrie thowſand merks in gratuitie and one thowſand for thoſe of them that is wounded I humblie deſyr that your Lo/ wold be pleaſed to order that the foirſaid ſowms wold be maid preſentlie effectuall for the ſupplieing of ther preſent neceſſities or otherwayis that everie thing that was in the gariſons of Roſe which was poſeſſed by the ſaid partie may be given them in place of the ſaid foirſaid ſowme of thrie thowſand merks and that the wounded ſouldiers may hav the other thowſand preſentlie for defreying of what they ar due to ther ſurgents and ther other neceſſities Lykwayis I humblie deſyr that ſome effectuall courſe may be taken for paying of our troups ther laſt thrie moneths pay without which they ar not able to ſubſiſt it being knowen that we ſatiſfied our quarters ſo punctuallie when we had any thing to doe wpon which hes ſo exhauſted ws that many of them hes not wherwith to cover ther nakedneſs and without which it will be impoſſible to mak them giv obediance to your cōmands in marching to Roſe eſpeciallie they having com heir to provyd themſelfis in neceſſars which without money they ar not able to doe and therfor I humblie deſyr that your Lo/ wold tak our condition to your conſiderations

and returne ws ane anſweir which ſall oblidge to remaine what we ar your Lo/ humble and obedient ſervants

Edr 26 June 1649

The Eſtaites of parlt grants the firſt alternative expreſſed in the abovewretten Supplication viz. þt either 3000m be paied to þe Supplicant or þt he have retention conforme to þe deſire of þe bill, and apoints þe lord arbuthnet þe laird of Brodie and Alexr Jaffray to bring in a report anent þe maſt effectuall way of paying þt gratuitie formerlie granted to þe woundit ſouldiers abovementioned; As alſo concerning þe paymt of thrie months pay to þe Troups above ſpecified; As alſo concerning the gratuitie formerlie granted to the officers hou it may be maid effectuall, though this particular be not mentioned in þe abovewretten supplication.

LOUDOUN · Canrius
I P D P

REPORT of the Committie on the ſupplication of Colonell Gilbert Ker

Edr 28 Junij 1649

The Comittee appoynted for giveing þr opinion concerning Collonell gilbert ker his bill in the behalff of the pertie that wes in the North Can find no way for giveing ſatiſfactioune to the wounded ſouldiouris And ſatiſfieing the gratuitie appoynted to the officeris Bot that for inableing the Generall Cōmiſſar to mak thame the more effectuall payment That the contraventioune of the Erle of Seaforth and his freindis of their obleiſmentis to the Eſtaites Be declairit in parliament And that the generall Cōmiſſar have ane Cōmiſſioune and warrand for vplifting the rentis ſoumes of money and guidꝭ dew to the ſaid Erle and his freindis Ay and whill he be payed of theſe ſoumes they are lyable to the Eſtaites Conforme to their obleidgmentis reſtive And that notwithſtanding of any prior aſſignementis or rightis granted out of the ſaidꝭ fynes or contraventiounes that the ſoumes dew for the officeris and allowed to thame in gratuitie and to the wounded ſouldiorꝭ may be firſt payed out of whatſoever ſoumes ſall be gottin in of the eſtaites of the fꝭ perſones And that theſe forces wald be appoyntit to aſſiſt the generall cōmiſſr in vplifting þrof for his more effectuall payment And for enabling the troupes to merche till they come to þr localities That the gñall cōmiſſr wald be earneſtlie dealt with for advanceing ane of the thrie monethis pey dew to thame

ARBUTHNOT I. P. D. Com.

29 Junij 1649

The Eſtaitts of parliat approves the report And that it be ſo done wtout prejudice of the capitulation maid be the Gñall leivtennent.

LOUDOUN · Canrius
I P D P]

ACT in favours of the Heritours of Muckart and Doller. 166

. . . . . .

ACT in favours of John Stevinſon. 167

. . . . . .

ACT in favours of Fergus Grahame of Blackwood. 168

. . . . . .

ACT in favours of Patrick Gilleſpie. 169

. . . . . .

ACT in favours of the Presbyterie of Stranraver. 170

. . . . . .

ACT in favours of Hugh Wallace of Craigie. 171

. . . . . .

ACT in favours of John Stevin. 172

. . . . . .

ACT anent Francis and John Wilkieſons Comiſſar-clerks of Lauder. 173

. . . . . .

ACT in favours of Maſter James Campbell Comiſſar of Inuerneſs. 174

. . . . . .

ACT in favours of the well affected Heritors in Roſs and Inuerneſs. 175

. . . . . .

ACT in favours of the Laird of Leſlie Forbes. 176

. . . . . .

ACT in favours of the Laird of Buchanan. 177

. . . . . .

ACT in favours of John Jaffray, 178

. . . . . .

ACT in favours of Maſter John Hay Proveſt of Elgine. 179

. . . . . .

180 ACT whereby the Earle Caſsils accepted the place of Juſtice Generall, and made Faith, de fideli adminiſtratione.

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181 ACT in favours of the Towne of Anſtruther eiſter.

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182 ACT and diſpenſation to the Juſtice Court to ſit at Jedbrugh.

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183 ACT in favours of Maſter Alexander Colvill.

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ORDOR of pliamēt for ony thrie of ſex auditorꝭ to heir Jon ſempillis Comptes ꝛt report

184 AT EDINBURGHE the tuenty nynth day of Junij J(M) vjc fourtie nyne yeares THE Eſtaitꝭ having heard and conſidered ane Supplicaoune given in be John Sempill Lait proveiſt of dumbartane They haue earneſtly recomended the ſaid ſupplicaon wt the deſire of the Supplicant þrincontenit to the cōmittie appoynted for Sr Jon Smyth his buſſines viz. The Earle of ſutherland ꝛt Vicount of Arburthnet for the Noblemen, The Lord Hoptoune ꝛt Rot Hepburne of Keith for the barouns, Sr James Stewart ꝛt Mr Robert Barckley for the borows, or ony three of them ꝛt ordained them to meit with all diligence ꝛt efter pervſall of his accomptꝭ to report to the parliat

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II JULII.

185 ACT for ſupplie of the well affected Officers in Ireland.

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186 ACT in favours of the Lord Lovat.

. . . . . .

187 ACT in favours of Margaret Forreſter.

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188 REMIT in favours of the Earle of Panmure,

. . . . . .

189 ACT anent the forefaltour of the Lairds of Lochbuy, and Captaine of Clanrannald.

. . . . . .

V JULII.

ACT in favours of John Kennedie of Haleis. 190

. . . . . .

ACT in favours of James Wallace. 191

. . . . . .

ACT and Ordinance for Printing ſome letters ſent from Holland and London. 192

. . . . . .

ACT in favours of Sir George Maxwell of Netherpollock. 193

. . . . . .

VI JULII.

REMIT in favours of Maſter John Duncan Miniſter at Culroſs, and Maſter James Sibbald Miniſter at Torrie. 194

. . . . . .

REMIT in favours of the Laird of Greinocks Boat-men. 195

. . . . . .

ACT in favours of the Laird of Glenurquhie. 196

. . . . . .

ACT in favours of Robert Bailȝie of Jerveſwood. 197

. . . . . .

ACT in favours of Major James Cockburne

THE ESTATES of parliament haveing heard and conſiddered The ſupplicatioune given in be Major James Cokburne SHEWING that he had attendit the ſervice of this kingdome theſe foure yeeres bypast to his great chairges and wes at that vnhappie conflict at kilſyth where he quate himſelff moſt faithfullie to the hazard of his lyff And that he hes receaved litle or no ſatiſfactioune for his ſervice ȝit notwithſtanding of many alurementis to vndertake in the laite ſinfull ingadgment he ſtill refuiſed wch is weill knowne to diverſ weill affected in this citie It pleaſed the Cōmittee of Eſtaites to appoynte him ane localitie in fyff by þr act of þe 20 of october of Ane hundreth merkis per menſem wch wes ineffectuall to him THAIRFORE the ſaid ſupplicāt deſyred That the Eſtaites wald take the premiſſ to conſideratioune And to give ordour That he might have ſome ſatisfactioune for his bypaſt ſervice and to be provyded for in tymes cumeing As at mair lenth is contenit in the ſaid ſupplicatioune WHILK With the reporte of the Cōmittee of Billis þranent 198

Being taken in conſideratioune be the ſaidis Eſtaites of parliament THEY have ordained and ordaines THE Cõmittee of money To give precept vpone the generall cõmiſſar for payment to the ſaid Major James Cokburne of the ſoume of ffyve hundreth pundis ſcottis for his preſent ſubſiſtance And that he have preference to the Army or any vther publict precept AS Lykwayes They have Ordained That he ſhall have the Cõmand in the firſt Regiment That shall be Levied in this kingdome

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199 *ACT in favours of Judith Hyer.*

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200 ACT in favours of Archibald Maxwell.

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VII JULII.

201 ACT in favours of my Lord Blantyre.

. . . . . .

202 ACT nominating Maſter James Prymroſe to be Clerk to the Privy Counſell.

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VIII JULII.

ACT ratifying an Act of the Commiſsion for visiting the University of St Andrews

203 THE Estates of Parliament now presently conveened in the third Seſsion of this 2^d trienniall Parlt having taken unto their Consideration an Act of the Commiſsion appointed by the last general Aſsembly and this present Parlt for Visitation of the University of St Andrews, whereof the Tenor follows.

AT Ed^r the 2^d Day of March 1649. The whilk Day the Commiſsionars appointed by the late generall Aſsembly and present Parl^t for Visitation of the University of St Andrews taking into their serious Consideration the Report of the Subcommittee anent the Compt and Division of the free Rent, whereof the Tenor follows.

[THE Compt and Division of þe pñt free Rent of þe three Colleges of St Andrews both in Victual & Silver according to þe necessar charges givin up in þe Report made be the Committee appointed be his Mãtie in anno 1641 converted into Scots monie.

NECESSARIE CHARGES

	℔	ß	d
THE neceſsary Charges of the New College according to the Report foresaid is — —	7250	12	0
Item the neceſsary Charges of the Old College is — —	6338	12	0
Item the neceſsary charges of Leonard's College is — —	4966	12	0
Sum of the neceſsary Charges is	18555	16	0

VICTUAL of the 3 Colleges according to the Species following

	b	*f*	*p*	*l*
Imprimis Wheat both Old & New Rent of all the 3. Colleges —	288	1	2	3
Item Beer of all the 3 said Colleges	913	2	0	3
Item best Oats and Meal of all three	1119	0	3	0
Item black Oats of all three —	207	2	3	1
Item Peaſe of all three —	99	1	1	1

SILVER DUTIE

	℔	ß	d
THE Silver Duty of all the three Colleges conjunctly — —	4745	8	2

DIVISION of the whole Rent Victual and Money abonewritten

Imprimis Wheat to be allotted to the New College according to the particular neceſsary charges abonewritten — — (*b f p l*) 112 1 0 0 — Wheat

Item Wheat to be allotted to the Old College — — 98 3 0 0

Item Wheat to be allotted to Leonards College — — 77 1 2 3

Imprimis Beer to the New College 356 3 3 0 — Beer
Item to the Old College — 311 3 3 3
Item to Leonards — — 244 2 2 0

Imprimis to the New College of best Oats and Meal — — 437 1 1 0 — Best Oats and Meal
Item to the Old College — 382 0 3 1
Item to Leonards — — 299 2 2 3

Imprimis of Black Oats to the New College — — 81 0 0 0 — Black Oats
Item to the Old College — 70 3 3 1
Item to Leonards — — 55 3 0 0

Peaſe to the New College — 38 3 0 3 — Pease
Item to the Old College — 33 3 2 3
Item to Leonards — — 26 2 1 3

	℔	ß	d	
Imprimis to the New College of Silver duty — —	1854	6	8	Silver duty
Item to the Old College —	1620	18	0	
Item to Leonards College —	1270	1	4	

Imprimis the New College hath of old rent in Wheat 46 ℔, and so is to have of new rent in Wheat to make up its proportion — (*b f p l*) 66 1 0 0 — Wheat

Item the Old College hath of old rent in Wheat 52 b 2 f 3 p 2 l, and so is to have of new rent in Wheat 46 0 0 3

	Item Leonards College hath of old rent in Wheat 42 b 3 p 2 l. and so is to have of new rent in Wheat	35	0	3	1
Beer	Imprimis the New College hath of old rent in Beer 136 ℔ 2 f 3 p 2 l. and so is to have of new rent in Beer	*b* 220	*f* 1	*p* 0	*l* 2
	Item the Old College hath of old rent in Beer 193 b 1 f 1 p. and so is to have of new rent in Beer —	118	2	2	3
	Item Leonards College hath of old rent in Beer 130 ℔. and so is to have of new rent in Beer —	114	2	2	0
Best Oats and Meal	Imprimis the New College hath of old Rent in best Oats & Meal 77 b 2 f. and so is to have of new Rent in that species — —	359	3	1	0
	Item the Old College hath of old Rent in best Oats & Meal 372 b 2 p 2 l. and so is to have of new Rent	10	0	0	3
	Item Leonards College hath of Old rent in best Oats & Meal 128 ℔. and so is to have of new Rent in the same species — —	171	2	2	3
Black Oats	Imprimis black Oats to the New College according to the Divifion forefaid — —	81	0	0	0
	Item to the Old College —	70	3	3	0
	Item to Leonards College —	55	3	0	0
Pease	Imprimis to the New College of Pease according to the said divifion	38	3	0	3
	Item to the Old College —	33	3	2	3
	Item to Leonards College —	26	2	1	3
Silver Duty	Imprimis the New College hath of old rent in money 1501 ℔ 3 ß 8 d. and so is to have of new Rent in money	℔ 353	ß 3	d 0	
	Item the Old College hath of old Silver Rent 141 ℔ 4 ß 8 d. and so is to have of new Silver Rent	1479	13	4	
	Item Leonards College hath of old Silver Rent 513 ℔ 16 ß 2 d. and so is to have of new Silver Rent	756	5	2	
	Sum	2589	1	6	

RESTS only concerning the Division to aſsign Localities for the new Rent according to the proportions abonewrittin (Sic Subscribitur) Mrs James Reid of Pitlethie, Fred. Carmichael, Wm Dalglish, Sam. Rutherfurd, principall of the New College, Alex^r^ Colvil, James Wood, George Martin 2^d^ maiſter of the old College Mr Geo. Weems Principall of Leonards.

AND finding that the Subcommittee and severall maiſters of þe 3 Colleges who were p̃nt had aſserted the juſt calculation of þe Compt & Proportions abonewrittin They do by thir p̃nts allow & approve of þe samen. And Ordains þe several Colleges to begin to have þ^r^ Proportions, according as they are above set down, for þe Cropt & year of God 1648 and þ^r^after, ay and while þ^r^ several Localities be designed & appointed to them. And for þe more speedie effectuating þ^r^of it is hereby recommended to þe Subcommittee to sit at St Andrs þe 14 of March instant to consider how the Localities of þe forsaids Proportions of þe severall Colleges may be most convenientlie ordered and designed, and to make þ^r^ Report hereof at þe next Seſsion of the Visitation at Ed^r^ þe 15th of Aprile next.]

AND the Estates of Parlt considering and finding that the forsaid Proportion and Division will be of speciall and neceſsary use for the Preventing and Determining of Differences and Debates that might otherwiſe arise betwixt the severall Colleges of the University, and for preventing of many Distractions and Incumbrances that the masters of the respective Colleges might be involved into, and for diverse other important Ends and Advantages contributing for the good and Peace of the University, and Ease, and better Attendance of the masters therof, Do therefore ratify and Approve the forsaid Act in all the heads and Clauses thereof appointing and ordaining the same to have the strength of an Act of Parl^t^ in all Time coming, and Ordains the severall Colleges of the said University to receive Payment of the Prices of the Victuall conform to the Proportion in the forsaid Act, and Payment of the Silver Rent according to the Proportion of the Silver Rent also contained In the said Act for the cropt and year of God 1648 years and all years and Cropts succeeding thereto, and does hereby recommend to the Commiſsion appointed for visiting of the said University to use all Diligence in designing and ſettling of the severall Localities of the severall Colleges of the said University.

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IX JULII.

ACT for Redreſs of the Complaints and grievances of the People, againſt Maſters, Collectors Officers and Souldiers.

THE Eſtates of Parliament taking into their ſerious 204
conſideration the manifold grievances and complaints within the Kingdom againſt Maſters, for oppreſsing their Tenants in outreiks of horſe and foot, payment of the monethly Maintenance, and in Quarterings, as alſo againſt Officers and Souldiers, and Collectors of moneys for their diſorderly carriage and unjuſt dealing. For remedy and redreſſe herein, they do Statute and Ordain,

1 THAT the ſeveral Presbyteries ſend in to the Committee of Eſtates, a liſt of nine or ten under-

ſtanding and conſcientious men, that upon conſideration thereof, and ſuch other Information as ſhall be given to the Committee of Eſtates concerning theſe or any other perſons, they may make choyce of five or ſix, to employ in that truſt, and any three of them to have power to do and put in execution all things within the bounds of each Preſbytery, which are referred to them by this Parliament, and that all grivances and complaints for wrongs done ſince the firſt of October laſt, or which ſhall be committed in tyme comming, being ſuch as are by this Act referred to them by the Parliament, ſhal be preſented to the ſaid perſons ſo nominated and choſen, and that the perſon firſt nominated in the Commiſſion, ſhall conveen the reſt at their firſt meeting, and take their oaths for the faithfull diſcharge of their duty, and then the next in Commiſſion ſhall take his Oath; and that thereafter they meet at ſuch times and places as they ſhall thinke fit, That they ſhall have power to conveen all perſons intereſſed within the bounds of the Preſbytery before them, to take the Oaths of parties, and to examine witneſſes upon Oath, when they ſhall ſee it needfull, and that all Officers and Souldiers ſhall be aſſiſtant to them upon their direction for executing the power committed to them.

2 THAT in all Levies of horſe, the Tenant ſhall only furniſh a ſufficient man, and ſhall be free of all charge and expence whatſomever, unleſſe they be rentallers or others, who have lands ſet unto them under the known worth and value, in which caſe, the Commiſſioners of each Presbytery to be choſen as aforeſaid, ſhall have power to determine what ſhall be the proportion of the rentaler or others aforeſaid, according to the eaſe they have of the land under the known value; Conſideration being had what the tenant gave to the maſter at his entrie to the lands, together with the yearly dutie and ſervice; And that no rentaller, nor other aforeſaid, ſhall be lyable to the payment of any part of the ſaid levy, but upon decreet of the Commiſſioners aforeſaid, & that the heretors in the interim put forth the Levie; It being alwayes underſtood, that where rentallers are already valued, diſtinct from the heritors by the Commiſſioners appointed for the valuation of the ſhire that they ſhall pay conform to their valuation.

3 THAT in the Levies of foot the maſter ſhall find armes, and pay the advance or loan money, and that the tenant ſhall onlie find a ſufficient man, and ſhall give unto him that ſhall goe forth the ſum appointed by Act of Parliament to be given by tenants, unleſſe they be rentallers or others before mentioned, in which caſe, the ſaid Commiſſioners ſhall determine as aforeſaid what ſhall be their proportion.

4 THAT no maſter ſhall for benefit, ſpleen or private revenge, put forth any tenant or ſervant in Levies, but that where there is any ſuch complaint, the Commiſſioners aforeſaid ſhall Judge of the fitneſs of the perſon.

5 THAT the Monethlie maintenance ſhall onelie be payed by the maſter, and the tenant to be free, unleſſe they be rentallers or others as aforeſaid, in which caſe, the Commiſſioners are to determine their proportions as is before expreſſed.

6 THAT all quarterings, whether local or tranſeunt ſhall be allowed in payment of the Monthly maintenance in manner following, viz. that the maſter, or ſuch as have power from the maſter to doe his affairs, ſhall deliver to the Collector a certificate, ſubſcribed by two of the Commiſſioners aforeſaid, that he hath allowed to his tenants the ſaid quarterings (which are alſo to be inſtructed according to the act of Parliament) in their maill or yearly rent and duty, and given them diſcharge for the ſame, before he get allowance of the quarterings in payment of the monethly maintenance, & that the Collector deliver in the ſaid certificate to the General Commiſſary; Or in caſe the maſter refuſe to give the ſaid certificat to the Collector, that then the collector bring two of the Commiſſioners certificate of the maſter his refuſal, and if the Collector ſhall fail herein, that then he make accompt to the Generall Commiſſarie, for the whole monthlie maintenance, without any deduction for quarterings, and that the Commiſſioners take care that the maſters ſo refuſing doe allow the ſaid quarterings to the tenant in their maill and duties.

7 AND becauſe quarterings upon particular perſons, may exceed their proportion of the monethly maintenance, It is therefore ſtatute and ordained, that the Collector of every ſhire ſhall make payment to all ſuch perſons as ſhall be ſo overburdened with quarterings out of the monethly maintenance of the ſhire, at the direction of the committee of war; And if the whole monethlie maintenance of any ſhire ſhall be exhauſted that then the Generall Commiſſarie ſhall make payment to them for the ſaid quarterings out of the monethly maintenance of other ſhires whoſe maintenance is not exhauſted by quarterings. And in caſe any maſter ſhall thrall his tenants, and force them to lay out any monies in levies otherwiſe then according to the directions of the Parliament, or being defired, ſhall not allow them the maintenance when they have been neceſſitated to pay the ſame for their maſters, or quarterings, not exceeding the Maintenance; The Eſtates of Parliament do Decleare, that upon probation thereof before the ſaid Commiſſioners (the maſter for ſo doeing ſhall beſide reſtitution to the tenant) pay as much to the Commiſſioners for the uſe of the publick.

8 THAT where tenants have not concurred in James Grahams rebellion, or been acceſſorie to the late unlawfull Engagement againſt England, or the late Rebellion in the north, but have ſuffered therein, effectuall courſe be taken for their eaſe and relief, that it be not in their maſters power to oppreſſe and deſtroy them; And that the loſſes of all ſuch tenants as have ſuffered for their affection (there maſters being guilty of any of the crimes aforeſaid) be cognoſced and tryed before the ſaid Commiſſioners, and what allowance and deduction ſhall be decerned by them, to be retained from their aforeſaid maſters (guilty as ſaid is) ſhall be a ſufficient exoneration and diſcharge to them of the mails and duties pro tanto, and is to be ſo allowed by all and whatſoever Judges before whom the ſaid duties are to be perſued. And that the maſter be not permitted to purſue them for theſe duties before their own Courts, and if the maſter ſhall do other wiſe, the tenant to have repetition pro tanto, provided, that nothing herein contained ſhall extend to infringe any capitulation approven by Parliament.

9 THAT all Collectors of monies within ſhires have teſtificats of their honeſtie and fidelitie from the Presbyterie, and ſubcollectors from the ſeſsions where they live.

10 THAT no Collectors ſhall quarter ſouldiers upon any for deficiencie in payment of publick dues, unleſs there be intimation given ſix dayes before to the Preſident, or in his abſence, to any two of the Committee of war of the ſhire & to the partie deficient; And that no officer ſhal quarter ſouldiers upon any for their deficiency in payment of publick dues, unleſs they have ane warrant for the ſame, under the Collectors hand, or have order from the Committee of Eſtates or generall Commiſſarie: And if any collector or officer doe otherwiſe, that he ſhall be caſhiered and removed.

11 THAT if any Collector ſhall exact more from any maſter or tenant, then the juſt proportion, or ſhall cauſe them make twice payment of the ſame ſum, that he ſhall pay the double thereof to the perſons whom he hath ſo wrongd, and not only be removed from his office, but ſhalbe declared incapable of any truſt hereafter; likeas if any Collector ſhall refuſe to allow quarterings from the firſt of this moneth, being rightlie inſtructed, and within the monthlie maintenance, he ſhall be puniſhed in the ſame manner, and this is without prejudice of the Act of Parliament for relief of preceding quarterings.

12 THAT if any officer or ſouldier ſhall exact money by paction or otherwayes from any maſter or tenant to Burgh or land beſide their pay, viz. in time coming twelve pence for the trooper, and ſix pence for the foot ſouldier, or ſhal plunder any goods, that he ſhall repay the double unto them, forfeit all his arrears to the publick, be caſhiered with diſgrace, and declared incapable of any truſt hereafter, and ſhall be further puniſhed according to the Articles of war.

13 THAT in caſe any officer or ſouldier, ſhall force maſter or tenant to Burgh or land, to give him a diſcharge when he hath payed no money, or leſs then his quarterings extend to, or ſhall offer any violence againſt maſter or tenant, by beating them or otherwayes, the ſame Puniſhment ſhall be inflicted on him.

14 THAT if any officer or ſouldier ſhall in the place of the country where they quarter, wilfullie thruſt his horſe into cornes, or meddews which uſe to be mown yearlie, or where there is young planting, that they ſhall forfeit a moneths means: And if any officer or ſouldier ſhall at his own hand preſume to take any mans horſe for riding, or any other uſe, the officer or ſouldier ſo doing, ſhall pay the price of the horſe to the owner, and alſo forfeit ane moneths means.

15 THAT if any troop, or Companie, or part thereof ſhall quarter in any place, and at their removal, ſhall nither pay compleatlie for their quarters, nor leave a ticket (which they are to doe without demanding any money for the ſame) or ſhall leave a ticket for a ſhorter time then they did quarter, that there ſhalbe detained of the officers pay, who had the charge of that troop or company upon the place, the double of what ſhall be found due for the quarter, and in caſe the officers pay be not ſufficient to defray what ſhall be ſo reſtand, that the remainder thereof ſhalbe defalked out of the ſouldiers pay, and given to the party on whom they did quarter.

16 THAT no troop nor Company ſhall in their tranſient quarters ſtay above one night in a place, and that the horſe ſhall march at leaſt fifteen miles, and the foot ten miles, except upon the Lords day or otherwayes, that the double of every nights quarter ſhalbe allowed out of their pay to theſe upon whom they quarter, unleſs there ſhall be an evident neceſſitie or order from a Generall Officer.

17 THAT to prevent the abuſe of officers and ſouldiers in demanding extraordinary fare, their pay be delivered to them, at the end of every fourteen dayes (or ſooner if they remove) by the ſhire, or collector of the ſhire where they are quartered, and that they ſhall pay ready mony for whatſoever they take for themſelves, their horſe, and the ſervants of Commanders, at the ordinarie rates of theſe places where they are quartered, without extortion, and if any officer or ſouldier, receiving their pay as aforeſaid ſhall do otherwayes, that they ſhall forfeit a

moneths means for the firſt fault, and if after complaint made, they ſhall continue ſo to do, that they ſhall be caſheered.

18 THAT all perſons who have furniſhed quarter to any troop, or Companie, or part thereof, without payment either upon or without billet, that they inſtruct the ſame before the Committees of the reſpective ſhires where they dwell, by the ſaid billets, and where the ſouldier hath not left billets, to inſtruct the ſame, according to the acts of Parliament for allowing of quarters by two of the Committee of war, each moneths quartering before the tenth of the ſubſequent moneth, to the end, that each Company, troop or regiment may be truly charged with what they have received, & ſo much of their pay diſcomted to them, and accordingly allowed in the monthly maintenance.

19 THAT no quarter be allowed to women or pedies attending upon troops or companies, and that all officers be carefull to ſee this dulie obſerved, and in caſe they ſhall fail herein, that they ſhall forfeit a monethes meanes.

20 THAT the Commiſsioners aforeſaid have power to heare & determine all queſtions & differences that have ariſen betwixt maſters and tenants ſince the firſt of October, or ſhall ariſe in time comming concerning the out-reikes of horſe and foot, the payment of the maintenance, and touching quarterings according to the derections of the Parliament before expreſſed.

21 THAT the ſaid Commiſſioners doe likewiſe certifie to the Committee of Eſtates the names of all ſuch maſters as have oppreſſed their tenants in any time by-paſt in the out-reiks of horſe and foot, payment of the maintenance, or in quarterings, or have any wayes made benefit to themſelves therein contrary to former Acts of Parliament, or who ſhall hereafter wrong their tenants contrary to the preſent directions of Parliament, and ſhall ſend therewith the proofs of the ſaid wrongs ſo committed, to the end the ſaids perſons may be fined and cenſured as the Committee of Eſtates ſhall find their faults to deſerve.

22 THAT when any complaint ſhall be made to the Commiſſioners aforeſaid againſt collectors for their tranſgreſſing the orders and directions of the Parliament, that the Commiſſioners ſhall call the parties before them, and after exact tryall, repreſent the whole matter to the Committee of Eſtates, and ſend the depoſitions and proofs therewith, that the Committee may take ſpeedie courſe for redreſs of all juſt grievances.

23 THAT when any complaint ſhall be made to them againſt any officer or ſouldier for tranſgreſſing the orders and directions of the Parliament, if after tryall of the matter, it ſhall appeare to them to be a juſt grievance, that then they repreſent the ſame to the chiefe officer that is upon the place, and deſire reparation, and if there be no officer on the place above him againſt whom the complaint is made, that then they deſire himſelf to make reparation, and if in any of the caſes aforeſaid reparation and ſatisfaction ſhall not be ſpeedily given, that then the Commiſſioners certifie the whole matter to the Committee of Eſtates, and ſend the depoſitions and proofs of the particular crimes and faults, that the parties wronged may be repaired, and the parties offending may receive condigne puniſhment, and that the officer denying or delaying to repaire the wrong, ſhall for the firſt fault forfeit a moneths means, and ſhall be caſhiered for the ſecond.

24. THAT theſe preſents be Printed, and ſent to the reſpective Presbyteries within the Kingdom ſpeedily, that they may ſend in a liſt of perſons to the Committee of Eſtates as is before expreſſed, and that theſe preſents be likewayes read in all Pariſh Churches.

ACT for puniſhing the horrible crime of Inceſt with death.

THE Eſtates of Parliament conſidering that it is 205
already Ordained by the 14. Act of the firſt Parliament of K. J. 6. That whatſoever perſon or perſons, who are guilty of the abominable & vile crime of Inceſt in any of theſe degrees which Gods word hath expreſſly forbidden in the 18. chapter of Leviticus, ſhall be puniſhed to the death: And conſidering alſo that there be many other degrees of Inceſt both in affinity and conſanguinity, no leſs hainous and puniſhable then theſe expreſſed in the Letter of that Text, becauſe they be either neerer or fully as neer: Therefore the Eſtates of Parliament, being deſirous to provide a ſufficient remedy againſt all theſe evils, And that the wrath of God (which could not but lie heavy upon the Land, by impunity of ſuch abominable crimes) may be averted, Do ratifie and approve the ſaid Act; And further Declare and Ordain, That not only thoſe perſons who are guilty of any degree of Inceſt, expreſt in the foreſaid Text: But alſo that whatſoever perſon or perſons ſhall hereafter be found guilty of any other degree of Inceſt either neerer or fully as neer in affinity or conſanguinity, as theſe that are expreſſed in the Letter of the foreſaid Text, ſhall be puniſhed to the death, And that ſuch perſons may be the better known, The ſaids Eſtates findes and declares all theſe degrees mentioned and ſet down in the following Table to be Inceſt and puniſhable by death.

Follows the Table.

206 ACT in favours of the Lord Ogilvie.

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207 ACT in favours of Captain Robert Hall.

. . . . . .

208 ACT in favours of the Proveſt of Edinburgh and Sir John Smith.

. . . . . .

209 DECREIT againſt Sir Alexander Hammiltoun Generall of Artillarie.

. . . . . .

210 ACT for providing Meal and Coals to the Caſtles of Edinburgh, Stirling and S^t. Johnſtoun.

. . . . . .

211 ACT in favours of John Boyll.

. . . . . .

212 ACT in favours of the Town of Anſtruther.

. . . . . .

X JULII.

213 ACT and nomination of Colonell James Weyms to be Generall of Artillarie.

. . . . . .

214 ACT and Ordinance of giving ſurety for keeping ſtrengths and houſes within this Kingdome [for the Parliament].

. . . . . .

215 ACT in favours of Gideon Jack.

. . . . . .

XII JULII.

ACT for proportionating the Levies of Horſe according to the Maintenance.

216 THE Eſtates of Parliament Conſidering how juſt and neceſſary it is for the good of the Kingdom, That all the Levies and outreike of horſe be proportionate upon the heretors and others lyable for the ſaids Levies in an equall way in all time comming, Therefore the ſaids Eſtates have ordained and Ordain That the Levies and outreikes of horſe in the ſeverall ſhires within this Kingdom of Scotland ſhall be proportionate in all tyme Comming upon the ſhires, and upon the heritors and others lyable in the ſaids Levies and outreikes within the ſaid ſhires reſpectivè in an equal way according to the Maintenance payable by the ſaid ſhires, heretors and others as ſaid is.

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ACT in favours of William Gavie Skipper in Dyſert. 217

. . . . . .

ACT in favours of Margaret Williamſone. 218

. . . . . .

ACT and Ordinance for outreik of two ſhips to be a convoy for Merchants Ships. 219

. . . . . .

ACT in favours of John Inghram. 220

. . . . . .

ACT in favours of Lieut. Colonell John Erskine. 221

. . . . . .

ACT in favours of the Laird of Glenurquhie. 222

. . . . . .

ACT in favours of the Lord Marquis of Argyle, and Sir William Dick anent the Exciſe of Wines. 223

. . . . . .

XIII JULII.

ACT in favours of the Miniſter of the Kirk of Glencorſe. 224

. . . . . .

ACT in favour of Coll. James Weyms, anent the making of leather Ordinance, and ſeverall other Engines of War.

AT Ed^r the ~~27~~ day of ~~Marche 1648~~ Anent the ſuplicatioun givine in to þe eſtait^e of parliament now conveined in this firſt ſeſſioune of the ſecond trienniall parliament q^t of the tenno^r followes To the ry^t hono^ll the heighe court of parliament the humble petitioune of Collonell James Weymis Sheweth that yor petitioner haithe come to this his native countrey w^t Intentioune to vſe his outmoſt Indeavo^r^e for its ſervice And to that purpoſe Intend^e to put diver^e Inventiounes in practiſe, ſome of q^ch he haithe elſq^r brought to perfectioune the particulares are light ordinance vtherwayes callit lather ordinance of all ſort^e ſhooting from a quarter of a pound bullett wnto a demi Canoun Withe diver^e w þ^r^e Ingynes of warre as morter peices maid of lether ^t vther materialls pettardies ~~and the lyk of leather~~ His humble ſute þ^r^fore Is that this honõll Court will pas ane act in your petitiouner^e favoure for three nynten zeires tak Prohibiting all perſones q^tſoever w^tin this kingdome to Imitat mack or ſell any of thos light ordinance or Ingynes aforſd during the tyme before mentiouned w^tout leive of him or his aſſẽyis And if any ſall ſwa doe that a penaltie be put wpon them and foirfaultoure to him or his aſſigneyes of q^t ſall 225

be ſo maid or Imitated by them That pouar be lykwayes givine to him or his aſſ̃eyis to adminiſter ane oathe to thos to quhom he ſall ſhew thes Inventiounes to defend them from ſhewing thos ſecreitꝭ to any perſone or perſones q'ſoever and from depairting this kingdome To the end thos ſecreitꝭ may be keepit within this reallme And that this honõll court will be pleaſit to give full pouar to him or his aſſeyis to ſell and diſpoſe of q' ordinance or Ingynes of warre ſo maid by them to any w'in this kingdome or to ſtraingerꝭ quho ar at amitie withe this natioune All qch he humblie ſubmittꝭ And ſall pray. Qlk being wpon the twentie ane day of this Inſtant red in audience of the parliament The ſamyne was then remitted to the conſideratioun of the ſeverall bodies of the eſtaites to be conſiderit be them at ther meittings apairt And being of new againe this day red in audience of the parliament They approve of the forſd ſupplica'n and deſire theirof abovementiouned and grantꝭ the ſamyne And Thairfor thay give powar warrand and licence to the ſd Collonell James Weymis and his aſſignayes for the ſpace of three nyntaine ȝeires ſucceſſive efter vtherꝭ fra the daitt heirof to put his Inventiounes forſdꝭ in practeiſe In making of the forſd ordinance vtherwayes callit leather ordinance of all ſortꝭ ſhooting the bullet abovementiounit w' his diverꝭ vþꝭ Ingynes of warre as morter peices pittardies and the lyk maid of lether w' vther materiallꝭ ~~of lether~~ And prohibitꝭ and diſchairges all perſones q'ſoever withine this kingdome during the forſdꝭ three nyntaine ȝeires abovementiouned to Imitat mak or ſell any of thes light ordinance or ingines aforſd w'out licence of the ſd Collonell James Weymes or his aſſignayes wnder the paine of foirfalto' to him or his aſſignayes of q' ſall be ſo maid or Imitated by them And the Eſtates Gives heirby lykwayes powar to the ſd Collonell James Weymis or his aſſignayes to adminiſter ane oathe to thes to qm he ſall ſhew thes Ingeynes aforſd to defend and forbid them from ſhawing thes ſecreitꝭ to any perſone or perſones q'ſumever and from depairting this kingdome To the end thes ſecreitꝭ may bee keepit withine this realme And farder the ſdꝭ eſtates of parlt be thir pũtꝭ gives full powar libertie and licence to the ſd Collonell James Weymis or his aſſignayes to ſell and diſpone wpon the forſd ordinance and Ingeynes of warre ſo to be maid by them dwring the ſpace abovementiouned to any within this kingdome or to ſtraingerꝭ q° are at amitie w' this natioune Anent the qlkꝭ premiſſ abovementiouned the Eſtates of parlt declaires thir pũtꝭ ſall be ane ſufficient ry' and warrand to the ſd Collonell James Weymis and his aſſignayes to the effect before rehearſit

13 Julij 1649

The Eſtaittꝭ of parlia' approves the foirſd act w' the alteration aboveſaid

LOUDOUN Canrius
I P D P]

. . . . . .

ADDITION to the Committee of War of Linlithgow.

THE eſtaites of parliament now preſentlie convenit in this third ſeſſione of this ſecund trieniall parliament hes adit and be thir pũtꝭ ades M' George dundas of mainer and William Craufurd of deane to þe committe of warr of þe ſtreffdome of Linlithgow and gives and grantis to them full power libertie ⁊ authoritie as is given to þe remanent commiſſionerꝭ alreadie eſtabliſhed in þe committee of warr of þe ſaid ſhire 226

. . . . . .

ACT in favours of David Gourley. 227

[REPOIRT of the Committie on the Supplication of David Gourlay burges of Dundie.

Ed' þe day of July 1649

THE report annent the ſupplica'un of David Gurlay burges of dundie craving payment fra þe mgr̃is thairof of þe ſowme of ane thouſand merks as þe waluit woirth of ane tennement of land in Dundie pertaining to þe ſupplicant and caſtin downe be þe magiſtratis of Dundie þe tyme of þe making and building of þe fortifica'un of þ' towne

THE Comittie having conſiderit þe ſupplica'un and Inſtructionis thairof with þe defenſ̃ givin in thair againſt for þe towne of dundie and inſtructionis of þe ſamyn defencis. They find that in anno 1645 þe magiſtratis of Dundie was ordained by act of þe Comittie of eſtats to fortefie thair towne. And that in obedience þ'of þe magiſtratis Cauſit doe þe ſamen And þ' at þ' tyme and for þ' cauſe þe ſupplicantis tenement or houſe was caſtin downe and demoliſched Qlk tenement or houſe þe Cõmittie findis to be eſtimat by craftiſmen to have bein woirthe þe ſoum of ane thouſand merkis befor þe demoliſching þ'of As alſo þe Comittie findis that þe parliament be þe act at S' androis in anno 1646. hes ordanit þe towne of Dundie to be payit be þe publict of þe ſowmes þ'inmentionat for þer chairgis and expenſ̃ in fortefieing thair towne and for þe wthir ſowmes dew be þe publict to þe burghe of Dundie Qlkis premeſſ̃ being conſiderit It is þe humble oppinioun of þe Cõmittie that þe mgr̃is of Dundie be ordained to mak payment to þe ſupplicant of þe ſd ſowme of ane thouſand merkis out of þe firſt and redieſt moneyis that beis reſſavit be þm fra þe publict for fortefieing of þ' town or dew be þe publict to þe towne of Dundie for any wthir cauſe And in þe mean tyme It is alſo þe oppinioun of þe Comittie þ' þe mgr̃is of Dundie ſall diſchairge þe ſupplicant of all excyſe and mentenance payable be him to þe towne for byganis ȝit wnpayit and for tyme to cum quhill þe firſt day of may 1650 ȝeirs And þ'

þe ſamyn excyſe and menteanance be allouit to þe ſupplicant in pairt of payment of þe 1000 merkis abonſpēit and þ^t þe ſupplicant be diſchargit to mak any furthir wſe of þe allowance of his exciſe but allenarlie for quhat he ſall brew himſelff

Jo: Dickſoun I: P: Com:

13 Julij 1649
Redd and approvin in pliament
LOUDOUN. Can^rius
I P D P]

. . . . . .

ADDITION to the Committee of War of Lanerk.

228 THE Eſtaitt^e of parlia^t nominats and addis to the Committie of Warr of þe ſhyre of Lanerick The lairds of Wiſtoun elder and younger Walter Carmichaell and Jo^n ſempill in Eiſtquarter of Gleſfuird

. . . . . .

ACT in favours of the Lady Langtoun Elder.

229 THE Eſtaites of parliament Having heard and conſidered ane Supplicatione given in be Dam Helene Elphingſtone [Lady Langton] Elder for hir ſelf and in behalf of hir diſtreſsed tenents Within the paroches of ſimpreine and Langtoun Showing that Shoe and hir tenents are redacted to great ſtraits and extreame povertie What throw quarterings and vþ^r burdings ſuſtenit by them theſe diverſe yeares bygone Bot cheifly ſince the lait vnlaufull engadgment againſt England By the plunderings of the forces that war vpon this ſaid engadgment Q^lk not only quartered themſelvis vpon the Lands pertening to hir within the ſaids paroches bot took money alſo horſe meires and vþ^r guids pertening to hir ſaid tennents To ther great Loſse and prejudice As the particullar compts of the ſamyen quarterings and loſses ſubſcryved be the miniſters and elders of the ſaid paroche will teſtifie Quhilk was ſeriouſlie reviſed and examined by the laird of Eight and Sheriff of Galloway being deput by the ſubcōmittie of parliam^t for that purpoſe THE ſupplicant Humblie deſires that the ſaids Eſtaites wold taik the premiſses to conſideratione and grant precept vpon the Generall cōmiſſar for effectuall pay^t of the Sowme as is contained in the Report As at mair lenth is contained in the ſaid ſupplica^oune QUHILK with the Report of the cōmittie of bill^e þ^anent Being taiken into conſideratione be the ſaids Eſtaites of parliāt THEY haue recomendit and recomends the diſtreſſed conditioun of the ſaid Lady Langtoune to the Cōmittie of moneyes And ordaines them to mak pay^t to her of the ſoume of Three Thouſand ane Hundreth fourtie ſewine punds tuelve ſhillings four pennyes money dew to the ſaid Lady And hir tēnents for ther quarterings And vþ^r Loſses ſuſteaned be them which is ſufficiently inſtructed, With power to them to grant precepts for that effect Without prejudice of the pay^t of the army

. . . . . .

ACT for demoliſhing that part of the Fortification of the Caſtle of Edinburgh called the Spur. 230

. . . . . .

XVII JULII.

ACT in favours of the Laird of Edgall. 231

. . . . . .

ACT in favours of the Shire of Bamff. 232

. . . . . .

ACT in favours of Lieut. Colonell Dowgall Campbell of Inueraw. 233

. . . . . .

XVIII JULII.

COMMISSION for the Committee of Eſtates To ſit at Perth.

THE Eſtates of Parliament Taking to conſideration that the Peace of this Kingdom hath been much diſquieted and diſturbed this time bypaſt, Through the many Murders, Thifts, Wrongs, Burnings, and Depredations, Rebellions and Inſolences which have been done and committed By the Highlanders and Ilſeſmen and others diſaffected perſons in the Kingdom, As likewiſe conſidering the laudable courſe formerly ſet down and preſcribed in diverſe Acts of Parliament made anent the quieting of diſordered ſubjects in the Highlands and elswhere, As alſo that the ſaids Eſtates of Parliament by their Act of the laſt Seſſion thereof, Ordained precepts to be iſſued forth for citing ſuch perſons as were upon the late Engagement againſt England, or others as they ſhould think expedient, to compeer before them or their Committee to give ſurety and ſubcribe the band and declaration for keeping and on nowayes diſturbing the preſent peace and quiet of the Kingdom, Therefore the ſaids Eſtates of Parliament to preveen any danger or diſturbance which may ariſe to the Kingdom, and to ſecure the ſubjects from the ſtouth, violence, wrongs and oppreſſions of all rebellious lawles and Malignant perſons, Doth hereby give full power, warrand and Commiſſion to the Committee of Eſtates or their Quorum To meet at Perth upon the Twentie fourth day of Auguſt next, with continuation of dayes, And to call before them, all ſuch perſons within the Iſles, High- 234

ſands, and all other places as were upon the late Engagement againſt England, or have been Acceſſorie in any manner of way to the troubles of this Kingdom, And ſiclyke all Land-lords and Bailies of Lands where broken men dō haunt or dwel, and chieftans of clans and ſorners oppreſſours and others who by thefts, ſlaughters or depredations have troubled the Countrie, To ſubſcribe the band and Declaration, and finde ſurety for keeping the preſent peace of the Kingdom, And to give ſatiſfaction according to the former Lawes of the Realm, And to underly and obtemper any orders the Committee ſhall appoynt them for that Effect, With power to them to doe all other things Neceſſary for keeping the peace and quiet of the Kingdom.

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235 ACT in favours of Mr. William Sanders Miniſter at Bellie.

[SUPPLICATION be Mr William Sanders miniſter of Bellie

TO the Richt honoⁱʳ The eſtaites of Parliament Or the cōmittie of parliament appointed for Billis The petitione of Mr William Sanders Miniſter at Bellie in the ſchirrefdom of Bamff.

Humblie ſcheweth

THAT Notwithſtanding ȝor petitioner be a Miniſter of þe Goſpell prowyded to a mean Benefice q'of he hes receiwed litle or nothing theis eight ȝeiris bygone and hes exceedingly ſuffered both in his perſone and meanis for his affection (in the tyme of theſe late troubles) to the good Cauſe: And that it was atteſted by the preſbitrie of Elgine conforme to their teſtimonie heereto annexed and intimated to Mr Robert farquhare that he ſuld ſpare me and (in regard I had no meanis of lyvliehood) not to exact from me the ſūme of 300 Merkis layed vpone me to lend to the publict. ȝit the ſaid Mr Robert w'out ony reſpect to my Calling, my ſufferingis and powertie and wt þe denying of þe deſyre of þe preſbitrie hes not only charged me for þe ſaid ſūme bot lykwayes hes denunced me and threatins to take me. Heirfore my humble deſire is that ȝor Lo / wold Declare and Ordaine the ſaid Mr Robert to deciſt from any farder troubling of me and that I may be liberate from any lending of Moneyis for þe cauſes forſaid & ȝor Lo / Anſuere doe humblie Require

ȝor Lo / humble ſupplicant and petitioner
Mr Wm Sanders Miniſter at Bellie

Edr 14 Julij 1649.

THE Comittie of bills having hard and conſiderit þe ſupplicaūn of þe within namit Mr Wm ſanders miniſter at Bellie Schowing þt he being provydit to ane mean ſtipend and not having q'on to leive quhich hes bein ateſtit by þe priſbitre of Elgin and þt notwithſtanding þ'of THE Comittie of moneyis þn at abd wpon wrong information ordained þe ſupplicant to lend for the publict wſe 300 merkis for which Mr Rot farquhir þr collector hes ſtill trublit and cauſit chairge þe ſupplicant to have gottin payt þ'of and thairfor craving þt þe ſd Mr Rot may be ordanit to deſiſt from trubling him and he diſchairgit of þe ſd ſowme THE Comittie having hard þe ſupplicant and Mr Rot farquhir qa declaris þt þe ſd ſowme of 300 m̄kis was ordanit to be levied in maner foirſd bot þt he hes gottin no payt þ'of as ȝit IT is þe humble oppinioun of þe Cōmittie þt þe ſupplicant be liberat and declarit frie of lending þe ſd ſowme and Mr Rot farquhir be diſchairgit from trubling him þ'for in tyme cuming And þt þe ſd mr Rot farquhir may be exonered of ſo muche as þe ſd 300 m̄kis will extend to þt he be not obliḋgit þ'for in his publict accompts.

Mr J Hay. I. P. Com.

18. Julij 1649.

The Eſtaittꝭ of Parliat approves the report w'in w'ttin

LOUDOUN Canⁿrius
I P D P]

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ACT in favours of the Pariſhioners of Eaſter Kilpatrick. 236

[SUPPLICATION of the parochineris of Eiſter Kilpatrick

TO the richt honorabill the lordis and vþ'ꝭ of this pñt heiche court of parliamēt The humbill ſupplicatioun of the parochinerꝭ of eiſter kilpatrik

Humblie ſcheweth

THAT the parochin of kilpatrik being devydit in tua ſeuerall diſtinct paroches vpon the parochineris ſupplicatioun and the preſbittries recōmendatioun to the comiſſioun for plantatioun of kirkis Ane new kirk wes appoyntit to be buldit in the eaſt pairt of the ſaid parochin Quhairvpon ſax of the parochineris in name and at the deſyre of the haill parochin vndertook the bulding of the ſaid kirk And haveing agriet with maiſſons quarrio'ꝭ and ſleddersꝭ hes now compleit mor nor the halff of the ſaid building Notwithſtanding q'of Sir vmphra Colquhone of balvie ane of the herito'ꝭ of the ſaid new parochin and quha wes one of theſe that agriet wt the quarrio'ꝭ for wynings of ſtaines to big the ſaid kirk hes now vpon quhat ground we know not but malice as wold appeir to hinder godꝭ work ſent and taiken fra the quarrio'ꝭ thair haill inſtruments at the quarrell hes ſtopped the cairterꝭ from leiding and the maiſſouns from hewing & building and hes chairget all with lawborrowis and ſo hes ſtopped the work vnles yor honoꝝ provyd ſom ſpeidie remeid to promove the ſamyn HEIRFOR we humblie beſeik yor honoꝝ to tak the premiſſ into yor ſerious cōſidera-

tioun and give warrand heirby to a meſſ^{r} to wairn the ſaid S^{r} vmphra to cõpeir befor the parliamẽt or cõmittie that ſall be ſitting for the tyme at Ed^{r} vpon thrie dayis wairning w^{t} cõtinua^{c}un of days to anſ^{r} to this cõplaint and to heir and ſie him decernit to pay the haill chairges of the quarrio^{r}ſ cairter ſ and maiſſons during the tyme of the ſtopping of the ſaid work as yor hono^{r}ſ ſall be pleaſet to modifie with all coſtſ ſkaithes and damnage that the vndertaiker ſ of the ſaid work ſall ſuſtein thair throw And to heir & ſie ſuche farder puniſchement impoſet on him as yor hono^{r}ſ ſall think fitt And that he do not imped the ſaid work heireftir And yor hono^{r}ſ anſ^{r}

18 Julij 1649

The Eſtaittſ of parlia^{t} ordaines ane Meſſ^{r} to chairge Sr Wmphra Colquhoun to compeir before the parlia^{t} or comittie of Eſtaittſ The day of w^{t} Continuation To anſ^{r} to the complaint abovew^{t}ttin vnder the pain of Rebellion w^{t} certification & c^{a}

LOUDOUN . Can^{ll}rius
I P D P.]

. . . . . .

ACT for reſtraining the villanies of Hielanders and other looſe men within the ſhire of Perth.

237 THE Eſtaitſ of Parlia^{t} taiking to ther conſideration that þ^{r} ar an number of hielanders and vther wandering louſe men that paſſes vp & down the Country, Cõmitting many villanyes and wicked acts and eating the meat out of the mouthes of thoſe poor men quho labo^{r}ſ diligently for the ſame THERFOR They haue recomendit & recomendes ſeriouſly to the cõmitte of Warr of the ſhyre of Perth to give out Ordo^{r}ſ to be publiſhed at the whole paroch kirkſ of the ſd ſhyre prohibiting & diſcharging any hilander ſ or vther wandring louſe men to paſſe throw that ſhyre without a ſufficient teſtimoniall of þ^{r} good behavo^{r} vnder the handſ of the miniſtry and elders of the paroches q^{r} they duell or reſeid w^{t} Certifica^{c}un that q^{c}ſoever ſhall be aprehended w^{t}out teſtimoniall as aforſd it ſhall be la^{ll} To any gentellmen or vþ^{r}ſ in that ſhyre to aprehend them and cauſe put þ^{m} in firmence and ꝑſent þ^{m} to the cõmittie of the ſd ſhyre

. . . . . .

238 ACT againſt Factors and others in the Low Countreys, who furniſh armes and ammunition to Malignants.

. . . . . .

239 ACT in favours of Thomas Cuningham, Agent for the Kingdom of Scotland in the Low Countreys.

ACT in favours of James Farqurſone of Inueray. 240

. . . . . .

ACT in favours of Alexander Campbell of Pennimore.

THE Eſtaites of parlia^{t} Hawing hard and conſidered ane ſupplicatione given in be Alex^{r} Campbell of Pennymore Schowing that q^{r} thair being ane great ſowme adebtit to him be the publict for furniſhing and interteinment of ane frigott in the publict ſrvice the ſpace of nyne monthes And his haile Eſtate both in argyle and buit being altogither waiſted and diſtroyed be the Rebellſ his loſs in buit (by that q^{lk} he ſuſteaned in Argyle) being provin to be Three Thouſand aught hundreth thretie four punds q^{r}of he hes obtained nothing as ȝitt after long atendance the ſaid Eſtaites war pleaſed to recomende him to the cõmitties of money, and appoynted them to tak courſe for his preſent payment of that q^{lk} was Reſtand to him for the frigott and for ſatiſfieing of his loſſes in buit conforme to the proven Report therof And the cõmittie hawing conſiderit his compt and charges and expenſ depurſit vpon the frigott They haue taiken downe a great part of that q^{lk} was Juſtly dew to him And have only drawne a precept vpon the generall cõmiſ^{r} to pay the ſame to him and haue doine nothing concerning his loſſes in buit THERFOR The ſupplicant humblie deſyres that the ſaids Eſtaites of parlia^{t} wold tak his diſtreſſed conditione to ther conſideratione And tak ſome mor reall and effectuall courſe for [his] preſent ſatiſfac^{c}une And ſeeing he hes taiken the excyſe of the Shyrefdom of Ranfrew fra the firſt of may laſt to the firſt of may nixt And [hes] condeſcended to pay therfor three Hundreth mkſ monthlie the firſt ſex monthes and four Hundreth mkſ monthlie the laſt ſex monthes Quhilk is mor nor the ſame is able to pay and being crediblie informed that the ſamyen is not worth ane Hundreth merkſ in the month THE Supplicant Humblie deſires for his pñt helpe and ſubſiſtance That the ſaids Eſtaites wold be pleaſed to allow to him the Tack dewtie of the excyſe of the ſd S^{r}efdome In part of pay^{t} of that q^{lk} is dew to him be the publict as at mair lenth is contained in the ſaid ſupplicatione QUHILK being taiken into conſidera^{c}une be the ſaids Eſtatſ of parliam^{t} THEY hawe appoynted and appoynts Sr James Stewart Generall cõmiſ^{r} to diſcharge him of the half of his tak dewtie for the excyſe of the S^{r}efdome of Renfrew In part of payment of the precept grantit to him be the cõmittie of moneyes And declares that it ſhall be in the optioun of the ſaid alex^{r} campbell notw^{t}ſtanding heirof to quyt his Tak at his pleaſo^{r} 241

. . . . . .

242 ACT in favours of the Lord Lovat and Sir James Fraſer, and others within the ſhire of Inuerneſs.

[SUPPLICATIONE of Sir James Fraser to þe honorabill Cõmittie of billꝭ in name off þe L. Louatt & frindꝭ.

THAT quhairas yor Lo^{t} hawe Grantit ane recomenda . . . . . to þe Cõmitties off warr within þr awin ſhyres anent þr mantenance . . . . . waiſt landꝭ IT is humblie deſyrit in name & behalff of þe forſd pſons . . . . . us the lyk fawor, by recomendatione bot w^{t}all deſyrꝭ þe recomenda^{c}ne to be thus qualified þt þe benefit off exemptione extend only according to þe waſtatione off þr landꝭ & þt non reſawe a totall exemptione for a partiall ſuffering neþr a partiall exemptione for a totall ſuffering bot each to reſawe according to þr ſufferingꝭ, And þt þe benefitt of þis recomendatione be only extendit to ſuch as war free of the lait inſurrectione in þe northe & yor Lo^{ps} anſr.

Edr the 16 Julij 1649

The cõmittie of Billis haueing hard & conſidderit the ſupplica^{c}ne of the abonenamit Sr Jaincs fraſr for himſelff the lord Lovit & his frindꝭ deſyreing that þai may haue the lyk þt is grantit to vtherꝭ and be recõmendit to the cõmittie of war [of] the ſchyre qr þai dwell that exemptioune be grantit to them according to the vaſtatioun of thair landꝭ IT is the humble oppinion of the cõmittie that the ſupplicantꝭ be recomendit by the part to the cõmitties of war of the ſchyres qr þr landꝭ lyes that þai may haue exemptioun of þr landꝭ þ is for the pñt maid vſeles to them conforme to the vaſtatioune þrof and þt þr caice and conditioun be taken into ſerious conſidera^{c}ne according to thair ſufferingis and effection qch they haue carried to the pñt caus in hand

Arbuthnot I P D Com.

18 July 1649

The Eſtaites of Parlt approves the report within wretten and alloues 100li of the exeimed maintenance of Inuerneſs to the ſdꝭ ſupplicantꝭ

LOUDOUN · Can^{r}rius
I. P. D. P.]

. . . . . .

[BILL for the Laird of Caddell & utheris

May it pleas yor Lops,

INREGAIRD of the notorietie of þr ſufferingis in this caus Without any reparatioune to this day Be pleaſed in the firſt end of the ſuſpendit mantenance of the ſchires of Elgine and Nairne To exeme the Laird of Caddell the Laird of Lethem and Johne Hay of Knockawdie þr landis for whoſe vſe it wes ſpeciallie intendit And the rest to be deſtribute on theſe whoſe conditioune doeth moſt requyre it & þe laird of Carntie.

18 Julij 1649

The Eſtaittꝭ of Parlia^{t} grants the deſyre of the bill abovew^{t}ttin And ſiclyk for the landꝭ of Carntie, Pettie, Arderſier, balcantrie, & kilbokie

LOUDOUN · Can^{r}rius
I. P. D. P.]

. . . . . .

ACT in favours of diverſe gentlemen within the Shires of Inverneſs Elgin & Nairne

THE Eſtaites of Parliam^{t} being ſenſible of the great ſufferings & loſses ſuſteaned theſe diverſe yeares bygaine by diverſe gentell men and obrꝭ w^{t}in the ſhyres of Inuernes Elgin and Nairne They haue þrfor Ordained and Ordaines The Cõmities of war of the ſdꝭ ſhyres reẽiue to exeime the landꝭ of Ardourſeire, balcantrie, pettie, and ſuch landꝭ as belongs to the lardꝭ of Caddell Lethum, Kilbockie, Knockoudie, & Carntie, lying w^{t}in the ſdꝭ ſhyres from pay^{t} of ſo much of þr maintenance as is ſuſpendit be the Parlia^{t} And recomendꝭ to the cõmitties of war of the ſdꝭ ſhyres to deuyde the ſdꝭ ſuſpendit Maintenance amongſt the ſdꝭ hereto^{r}ꝭ Conforme to þr meritts and vaſta^{c}un of þr ſdꝭ landꝭ And the ſdꝭ Eſtaitꝭ grantꝭ retention to þm of that proportion of the ſuſpendit mantenance allowed be the ſdꝭ Cõmitties of warr And that from the firſt of July laſt to the firſt of Nor nixt And further ay & whill they be diſchairgit 243

. . . . . .

ACT in favours of Major Quinten Muire. 244

[THE Petitioun of Major Quintyne Mure ſomtyme toun major of Berwick Vnto the Right Honorable The Cõmittie of Billis

Humblie Shaweth

THAT I have conſtantlie Remayned in the ſervice of this kingdome dureing all thir bygayne trubilles wher I did ever acquitt myſelf faithfullie to my great hurt and prejudice As vpoun the 13: of Marche 1634: when I wes cõmandit by the Lord marqueis of Argylle To carrie the lait kingis ma^{ties} lettires from Sunderland to Edinburgh, efter divers gentillmen had refuſed, I wndertook that Journey wes taken priſſoner and carried to Newcaſtle where I remayned in priſſone Tuentie four houres and being efterwards releived I wes thaireftir Robbit and plundered of all that I had by Nyne trowpers who ſet vpon me and ſtripped me naiked wherfore I have never as yet gottin any ſatiſfactioun nor my ſaidis loſſes refoundet me, And albeit I wes oftentymes vrget to have wndertaikne in that ſinfull and vnlaw^{u} Ingadgment get it pleaſed

God I ſtill Refuſed to have any complyance thairwith HEIRFOIR I humblie beſeik yor Lo^ps to take the premiſſ^s to yor Lo^ps ſerious Conſideratioun And to take ſom effectuall courſe how my ſaidis loſſes may be refoundit vnto me As yor Lo^ps hes beine pleaſed to doe to vthires whois neceſſities and ſufferings hes beine leſſer nor myne Nor have more conſtantlie adhered to the caus and Covenant nor yor petitioner And ſall by gods aſſiſtance endeavour to continow conſtant thairin And yor Lo^ps anſ^r I humblie attend

I declare That the ſupplicant was ſent by the cõmittie of the armie (wherof I was at that tyme preſident) from Sunderland with letters from his Ma / and the nobilitie who wer then at Oxfoord. And that we wer certainlie informed that he was robbed as the ſupplication bears, on his way toward Scotland.

M ARGYLL

Ed^r 14 July 1649

The Comittie of bills having hard and conſiderit þe ſupplica^oun of þe w^in namit major Quintine muir towne major of Bervick Schowing þ^t he hes ſtill remaynit in þe ſ^rvice of þis kingdome ſince þe begining of þir trublis and hes gotin nothing or werie litle for all his ſ^rvices and þ^t he being ſent from Sunderland to Ed^r w^t ſum l^res from þe lait king to þe Comittie he was takin and robit of all he had to his werie heavie & great prejudice which hes broucht þe ſupplicant to ane werie mean and low conditioun he having ane great famelie to mantain And not having any thing to give þam for þ^r mentenance The Comittie foirſd having ſein ane teſtificat ſubſcryvit be þe Lord marques of Argyll ſchowing þ^t þe ſupplicant hes bein in þis publict ſ^rvice and as he is certanlie informit robit in maner and for þe cauſe foirſd. and alſo having ſein ane teſtificat ſub^t be Mr Jo^n Drumond q^a had publict chairge at newcaſtle teſtefieing þ^t þ^r is ȝit dew to þe ſupplicant for his bygain ſ^rvice and imployments in þe publict þe ſowme of thrie thowſand aucht hundrithe tuentie tua m̃kis ſcotis In regaird q^rof and of þe ſupplicantis mean conditioun and conſtant adherance to þe cauſe and ſufferingis þ^rfor IT is þe humble oppinioun of þe Comittie þ^t þe parliament recomend him to þe Comittie of money That they may tak courſe for payment to him of þe ſd ſowme of 3822 m̃kis quhich is dew to him for his bygain ſ^rvice in maner foirſd

M^r J Hay I. P. Com.

18 July 1649

The Parl^t approves the report above wretten

LOUDOUN . Can^rius I. P. D. P.]

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XIX JULII.

ACT and Warrant to his Majeſties Advocate, and the Juſtice Deputes to proſecute criminall Letters, and miniſter Juſtice againſt Margaret Henderſon. 245

. . . . . .

ACT in favours of Helen Gordoun. 246

. . . . . .

XX JULII.

PROTESTATION Proveſt of Edinburgh againſt the Taxt Roll of the Burghs given into the Parliament by James Sword.

. . . . . .

ACT and Ordinance anent a band due to Patrick Wood by the late Marquis of Huntley. 247

. . . . . .

ACT in favours of the Shire of Clackmannan. 248

. . . . . .

ACT in favours of the Earl of Sutherland. 249

. . . . . .

PROTECTION in favours of the Laird of Craigie Wallace. 250

. . . . . .

ACT in favours of the Committee of War of Linlithgow ſhire. 251

. . . . . .

ACT and nomination of the Committee of War of the Steuartrie of Kirkcudbright. 252

. . . . . .

XXIII JULII.

COMMISSION to John Gilleſpie Skipper, for purſuing the Iriſh Friggots and other enemies of this Kingdome by ſea. 253

. . . . . .

ACT where Alexander Brodie of that ilk, having accepted the place of one of the Senatours of the Colledge of Juſtice, made Faith de fideli adminiſtratione. 254

. . . . . .

ACT anent James Roſſe of Balneil, and the Committee of the ſhire of Wigtoun. 255

. . . . . .

XXIV JULII.

256 ACT in favours of the Earle of Caſsils and Colonel James Weym.

. . . . . .

257 COMMISSION to ſome Gentlemen of the ſhire of Perth, Stirling, and Clackmannan, To keep a guard upon their owne charges.

. . . . . .

XXVI JULII.

258 ACT anent the Caſual rent of Clackmannan and Stirling ſhires.

. . . . . .

259 ACT for deducing the Biſhoprick of Roſſe, and the Iles from the totall of the ſhire of Inuerneſs in payment of their Maintenance.

. . . . . .

260 ACT anent the producing of the Valuations of the ſhire of Fyfe.

. . . . . .

261 ACT anent the Valuations of the ſhire of Air.

. . . . . .

262 ACT anent the Valuations of the ſhire of Wigtoun and Steuartrie of Kirkcudbright.

. . . . . .

263 ACT anent the Laird and Lady Craigie Wallace.

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XXVII JULII.

264 ACT and Ratification of the Localitie of the Miniſter at the Kirk of Kilpatrick his ſtipend.

. . . . . .

265 ACT in favours of the Laird of Glenurquhie and Auchinbreck.

. . . . . .

266 ACT and protection in favours of the Laird of Glenurquhie.

. . . . . .

267 ACT in favours of the ſhire of Stirling.

. . . . . .

ACT in favours of the Earle of Dumferm- 268
ling.

. . . . . .

ACT of approbation of an new roll of Main- 269
tenance, to be payed by the ſhires untill new Valuations be brought in to the Parliament or Committee of Eſtates.

. . . . . .

ACT for nomination of ſome Perſons in 270
every Presbyterie, to ſit upon the Commiſſion of Grievances.

. . . . . .

ACT and licenſe to the Earle of Home to 271
repaire to Edinburgh.

. . . . . .

ACT in favours of Katharine Finlay.

THE Eſtaites of parliat Hauing heard and conſider- 272
ed ane ſupplicatione given in be Katrein finley Relict of vmq^{ll} Liuetenant John Swyne Shewing that ſhoe hes ſupplicated the ſaids Eſtaites for payment to hir and nyn fatherleſſe Childreine of the ſoume of foure Hundreth and Tuentie punds Raiſting for ſevine monethes Arreires to hir ſaid vmq^{ll} huſband the tym of his deceaſe wha was killed in the publict ſervice at kilſyth The ſaids Eſtaites wer pleaſed to recomend her to the cōmittie of moneyes to Tak ſom effectuall courſe for pay^{t} to hir Quharvpon the ſaid cōmittie did grant precept to her vpon the geñall cōmiſſ^{r} Notw^{t}ſtanding of the Q^{ll} precept Sir James ſtewart Generall commiſſar did abſolutely refuiſe, In reſpect the precept beirs bot prejudice of the Army And other incident charges THERFOR The Supplicant humblie deſires the ſaids Eſtaites of parliament to cōmiſerat hir conditioune And ordaine the cōmittie of money to grant ane abſolute precept to hir for payment of the forſaid ſowme of four hundreth and Tuentie punds vpon the geñall cōmiſſar That ſhoe may be preferrit þ^{r}by befor the payment of the Army or vþ^{r} incident charges In reſpect of hir and hir fatherles childrein þ^{r} hard conditioune As at mair lenth is contained in the ſaid ſupplicatione QWILK being taikin Into conſideratione be the ſaids Eſtaites of parlia^{t} They find that the ſoum of four Hundreth and Tuentie pund was dew to vmq^{ll} Leutenand John Swyne Huſband to the ſaid Katreine finlay the tym of his deceiſe as his areireis payable to him THERFOR and in reſpect of the ſaid katreine finlay and hir fatherles childrein ther great neceſſitie THEY haue Ordained and ordaines The cōmittie of money To draue ane precept vpon the generall cōmiſſarie for pay^{t} to hir of the forſaid Soume of ffour Hundreth and Tuentie pund^{s} And to grant her preference þ^{r}by Befor the pay^{t} of the Army or oþ^{r} incident charges.

. . . . . .

273 ACT and exemption to Alexander Ogilvie of his mortified lands of Achindaik.

. . . . . .

XXX JULII.

274 ACT and Commiſſion for viſitation of the Univerſity of S^t. Andrews.

. . . . . .

275 ACT and ratification of the Regiſter of the Commiſſion for viſitation of the Univerſitie of S^t. Andrews.

[REPORT of the Committee of Parliament appointed for reveiſing the Register of the Commiſsion for Visitation of the Univerſity of St Andrews

THE Committee appointed by the Parliament for Joyning with the Committee off the Generall Aſſembly for reveiſing the Regiſter off the Commiſſion for viſitation off the vniverſitie off S^t androis Having Reveiſed and perviſed the ſamyn doe find That the ſ^ds Commiſſioners Have proceeded In all things Conforme to their Commiſſions with great fidelity paines & diligence And It is their opinion That the ſ^d Regiſter beginning the ſecond day of auguſt 1642 And ending the Thirtein day off July 1649 Incluſive Containing 142 pages And the whole acts p^roff Ought to be approven and Ratified by the Parliament.

J Wauchope
M^r J Hay

Ed^r 30 Julij 1649

The parlia^t having heard the report abovew^ttin doe approve the ſ^d report And the opinion of the Committie abovementionat

LOUDOUN · Can^rius
I P D P.]

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276 ACT in favours of Maſter William Dowglas Miniſter.

[SUPPLICATIONE of Mr Wm Dowglas lait Miniſter at Aboyne

WNTO the hono^ble Lordes of the eſtates of Parliament ȝo^r humble ſupplicant Mr Wm Dowglas late miniſter at Aboyne Humblie ſhoweth That in the ȝeir of god J^m vj^c^ fourtie four I being appointed be the Cōmittee of Eſtates then ſitting At Abirdeine To len and advance to the publick the ſovme of ane thowſand merkes moey Q^ch ſovme I did lykwayes reallie pay and deliuer for the vſe of the publick to the aſſignais of Johne denholme Comiſ^r for the tyme Togider with the ſovme of thrie hundreth merkes of byrune anuelrents At the feaſt and terme of Whitſunday in anno 1648 Bot now pairtlie by plundering taxes quarterings payment of monethlie maintenance and vther Impoſitiones And pairtlie by want of my ſmall benefice Off q^ch I was depryved in anno 1644 Being reduced to ſuch povertie That I ame not able longer to ſubſiſt To mainteine my familie and educate my childreine Q^lk the generall aſſemblie taking to thair conſiderationes in anno 1647 and 1648 did tuyſe recōmend me to the hono^ble Lordes of the Cōmittee of Eſtates That they wold be pleaſed To tak ſome courſe for my repayment Q^ch thair Lo^ps conſidering Ordained Sr James ſtewart Generall Cōmiſ^r To repay and refound wnto me in ſatiffactione of the publick band The forſ^d ſovme of ane thowſand merkes p^rin contenit and byrune ānuelrents of the ſamyn Since the dait p^rof And that out of the firſt and readieſt of the rents of delinquents and excōmunicat perſones p^r eſtates in the North dew and payable to the publick. Bot it being of veritie That I haue gottine no pay^t p^rof as ȝett frome the ſ^d Generall Cōmiſ^r nor hath he (as I ame informed) had any intromiſſione with the ſaids delinquents and excommunicate perſones p^r eſtates in the North Be reaſſone vthers haue beine authorized by ȝor lo^ps ffor vplifting of the ſame Q^rfor that I be not longer put to expenſive attendance And that ȝo^r lo^ps gratious intentiones In granting me a precept may to my refreſhment prove reall and effectuall I wold humblie beg of ȝo^r lo^ps that ſince the laird of Eicht is particularlie authorized and cloathed by ȝo^r lo^ps auctie with a cōmiſſione for intrometting with and vplifting the eſtates of theſe excomunicate perſones in the North ȝo^r lo^ps wold give ordo^r to him out of the firſt and readieſt of the ſaids rents To mak pay^t to me Off the forſ^d ſovme of ane thowſand merkes and byrun ānuelrents p^rof In ſatiffactione of the publick band And for releiffe of my preſent inſopportable burdeines Wnder q^ch I ame not able longer to ſubſiſt Iff tymous releiffe be not thus givin to me be ȝo^r lo^ps And ȝo^r lo^ps gratious anſ^r I humblie exſpeck quho ame

Yo^r Lo^ps daylie Orato^r and humble ſupplicant and ſeruant
Mr Williame Douglas.

Ed^r 27 Julij 1649.

The Comittie of bills having hard and conſiderit þe ſupplicatioun of þe within wrettin Mr Williame Dowglas Schowing þ^t he being ordanit by þe Comittie of eſtatis at Aberdein to lend þe ſowme of ane thouſand merkis for þe wſe of þe publict which he did pay to Johne denholme þ^r cōmiſſ^r And þ^t in november J^m vj^c^ fourtie eight he having ſupplicat to tak his caiſe to conſideratione þe ſupplicant being broucht þ^n to ane werie low and mean conditione The ſ^d Cōmittie of eſtaits did ordain þe gennerall comiſſ^r to pay to þe ſupplicant þe ſowme of ane thouſand merkis out of þe firſt and redieſt of delinquentis and excomunicat perſonis in þe northe þ^r rentis And

þ^r for ſupplicatting ſeing þe ſ^d precept hes 3it bein wſles to þe ſ^d ſupplicant That it may now be maid effectuall to him The Cõmittie foirſ^d having ſein þe act of þe Comittie of Eſtaits ordaining þe ſ^d ſowme of ane thouſand merkis to be payit to him in maner foirſ^d IT is þe humble oppinioun of þe Cõmittie þ^t þe plia^t mak þe ſ^d precept for payment of þe ſowme of ane thouſand merkis abonwrettin with þe bygain añlrentis þ^r of effectuall to þe ſupplicant and for þ^t effect þ^t they give Command and warrand to þe Laird of Eight þ^t he pay þe ſupplicant þe ſ^d ſowme of ane thouſand merkis with þe bygain añlrents þ^r of conforme to þe ſ^d act of Comittie and þ^t out of þe firſt and redieſt of þe rentis off delinquentis and excomunicat perſonis þ^r eſtaits in þe northe þ^t ſall be intrometit withe be him But prejudice of prior affignmentis.

M^r J Hay I. P. Com.

30. Julij 1649.

The Eſtaitt^e of parlia^t approves the report w^t out prejudice of the Laird of Eight himſelf.

LOUDOUN · Can^#rius
I. P. D. P.]

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PASSE to Major Generall Midletoun.

277 THE Eſtats of Parlement Taking to Consideration the desire of Major Gñall Johnne Middletone of fettircarne (represented to them be þe Lord Chancello^r) Deſyring a frie warrant and ſaiff protectioun to him for his comeing to Ed^r To answere to a Cita^oun given to him for appearing before þe Gñall aſsembly now ſitting there And for his ſaiff abode the tyme of his ſtay there, And for his returne þ^r fra DOE by theſe pñts Give warrant and full aſsuirance to þe said Major Gñall Jo^n middletone That hee with his ſ^r vant^e may freelie repair to þe said burgh of ed^r To the effect forſaid without any trouble or moleſtatioun whatsoeuer. And that duiring his attendance on the gñall aſſemblie hee ſhall not be quarrelled directly nor indirectly wpon whatsoeuer pretext or occaſioun for any thing can or may be laid to his charge ather be þe eſtats or any privat perſon within this kingdome And when hee ſhall retire himſelff furth of this burgh The eſtats of parlement doe heereby Give him fyve free Dayes for making of his Journey homeward with þe aſsuirance forſaid duiring the ſaid ſpace.

30. Julij 1649.

The Eſtaitts of parlia^t grantis ane paſs t protection in Communi forma

LOUDOUN · Can^#rius
I. P. D. P.

ACT in favours of John Gordon 278

[REPOIRT of the Committie of Billis on the Supplicatioun of Johne Gordone

Ed^r 25 July 1649.

THE Comittie of bills having hard and conſiderit þe ſupplica^oun of þe poor ſojor Johne Gordone in kilpatrick durhame Schowing he being ane troupar in þe lord kirkcudbrichtis regiment q^n þe armie went in to Ingland in þe 3eir 1644 Thair was ſchot from him ane of his leygis, he being þ^n at þe ſeidge of york in þe publict ſ^r vice which hes maid þe ſupplicant altogider wnable to doe any thing for himſelff and hes redactit him to extrem great neceſſetie and povertie And þ^r for deſyring þ^t he may hawe ſum preſent ſupplie for his ſubſiſtance The Cõmittie having ſein þe ſupplicant q^a doeth want his leyg and having ſein ane teſtificat ſubſcryvit by þe miniſters of Drumfreis and kirkcudbricht and Laird of Bargathane Teſtefieing þ^t þe ſupplicant hes loſſit his leyg and bein in þe publict ſ^r vices in maner abone wrettin and hes bein frie of any acceſſioun to þe lait wnlaufull ingadgment In regaird q^r of IT is þe humble oppinioun of þe Comittie þ^t þe plia^t cauſe pay to þe ſupplicant tua hundrithe pundis ſcottis for his pñt menteinance which in þe Comittics humble oppinioun may be payid as eftir followis to wit ane hundrithe pundis þ^r of be Sr Thomas Steuart of Gairintillie which þe Cõmittie hes givin þ^r oppinioun to þe parliament he ſchould pay for oppreſſing and wronging Androw Boyd in Loak in maner contenit in þe repoirt givin be þe ſd Comittie in favoris of þe ſd Androw and þ^t lr̃es be direct to chairge þe ſd Sr Thomas to pay þe ſd hundrith pundis within ſex dayis or incaſe of fall3ie tua hundrithe merkis and þ^t þe ſupplicant be ſeriouſlie recomendit to þe Comittie of money and gñall Comiſſ^r þ^t he may get pñt ſatiſfaction of þe ſd wther hundrithe pundis In regaird of his pñt neceſſitous and hard conditioun

Jo: Diksone I. P. Com.

Ed^r: Penultimo Julij 1649
Redd in audience of Parliament and approwin.
LOUDOUN Can^#rius
I P D P]

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ACT in favours of Andrew Boyd in Loak. 279

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ACT anent the ſhires of Bamff and Aberdeen. 280

281 ACT in favours of Duncan Forbes of Culloden.

[SUPPLICATION of Duncane Forbes of Cullodin

TO the richt hono^{ll} the lords and vthers of the hie court of Parliăt The ſupplicatione of Duncane Forbes of Cullodin

Humelie ſheweth

THAT my conſtant affectioun to the caus from the begining teſtified be lairge ſufferings preſented often to the high court of parliăt and knowne to all honeſt men in the north ſo continowes as I am moſt willing to extend my beſt indeavo^{r} in all I can to contribute to the guid of the cauſe and weill of thes places quherin I live as in all vther things ſo ſpeciallie anent the keiping out of my hous q^{ch} was verie vſefull in the tyme of former troubles Bot being diſabled by the caſting waſte of my lands ȝet for a great pairt remayning ſo and the houſe conduceing if defended for the guid of thes places I could not bot repreſent the ſame to ȝo^{r} Ho^{r} I know the burding of the kingdome is great and thairfoir darre not offer to ſeik for a numerous gariſone to it Bot ȝo^{r} Ho^{r} will be pleaſed to ſuffer me to retaine in my owne hand ſuch proportion of mantenance as befalles me with my proportion of the levies quhich being bot ſmall not exceiding three foot and the proportion of ane horſe ȝo^{r} ho^{r} ſupplicant ſall indevour with all fidelitie to keip out that houſe for the publict and indure all hazard beſoir it fall into the hands of the adverſaries This is the humble deſyre of the ſupplicant not ſo much ſeiking himſelf as the guid of the cauſe q^{r}in he humelie expects ȝo^{r} ho^{r} gratious ăſ^{r}

Ed^{r}: Penultimo Julij: 1649

The Eſtaitis of parliament have ordainit and ordaines The ſd Duncan Forbes his lands To be frie of Outreik of horſe & foott in all ſubſequent Levies And diſchairges The Committie of warr of that ſhyre Officers & ſhouldiers and all vther^{s} from troubling or moleſting the ſd^{r} land^{s} or tennent^{s} belonging to the ſd Duncan forbes for any levie in all tyme coming And declaires The ſd ſhyre of Inuernes to be frie of the ſamyn proportion of horſe & foott diſchargit as ſaid is in all tyme coming]

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XXXI JULII.

ACT anent the Localitie of the Forces Horſe and Foot within this Kingdom.

282 THE Eſtates of Parliament taking in to Conſideration the beſt and fitteſt wayes for paying of the army, and diſpoſing of them into ſuch places as they may be beſt accommodated, Therefore Do aſsign unto them the ſeverall Shires and Burghs for their localities and quarterings in manner and according to the proportion of maintenance as after follows, viz.

I THE gariſon of Stranever conſiſting of 100. men and Compleat officers of a company, Their monethly pay according to the eſtabliſhment, extends to a thouſand one hundred fourteen pound, thirteen ſhillings four pennies, To be payed as follows, forth of the maintenance of the Shire of Caithnes 724. l. 17. s. 11. d. The maintenance of Sutherland. 439. l. 4. s. 9. d. the burgh of Dornock 27. l. which payes the Gariſon And 77. l. 2. s. 4. d. remaines to be payed by the Earle of Sutherland.

II Colonell Kers Troope being 60. ſtrong, their pay is 1479. l. Lievtenant Colonell Strachans Troope being 60. ſtrong is 1479. l. Item the Gariſon of Ruthven being a part of the Marqueſſe of Argyle Regiment at 300. l. The Gariſon of Braand & Chanrie being 100. men with officers at 1114. l. 13. s. 4. d. being of Colonell Innes Regiment, Further to Lievtenant Scot as Governor of Braand 66. l. 13. s. 4. d. which two troops and Gariſons extendes to 4372. l. 13. s. 4. d. To be payed as followes forth of the reſt of the ſhire of Sutherland 77. l. 2. s. 4. d. The ſhires of Inuerneſſe and Roſſe with the Burghs therein (exemptions being deduced) and deducing 310. l. that is to be given in to the Generall Commiſſary out of the Iſles 3869. l. more the maintenance of the Sheriffdom of Narne (exemptions being deduced) is 335. l. 4. s. 5. d. Further out of the Burgh of Elgine 80. l. more to be payed to Lieutenant Scot 66. l. 13. s. 4. d. which compleates the pay of the ſaids two troops and Gariſons.

III Lieutenant Colonel Hakets troope 60. ſtronge is 1479. l. the Gariſon of Caddell being 12. men and a Corporall 118. l. ſo both being added makes 1597. l. to be payed as followes forth of the maintenance of the Shire of Elgine (the exemption deduced) 1543. l. 15. s. 8. d. the town of Forres (the exemptions being deduced) 27. l. Out of the town of Bamff 26. l. 4. s. 4. d. which compleats the troope and Gariſon of Caddell.

IIII Collonel Robert Montgomrie his troope 60 ſtronge is 1479. l. To be payed out of the reſt of the maintenance of the Town of Bamff 34. l. the maintenance of the ſhire of Bamff 1669. l. 8. s. 1. d. which Compleats that troope, and there reſts 224. l. 8. s. 1. d.

V Lieutenant Generall Leſlies troope 60. ſtronge with the addition of a trumpeter is 1504. l. Collonel Innes Regiment of Foot 245. ſtrong with the compleat officers of four Companies is 3282. whereof aſigned out of the ſhire of Inuerneſſe for the Gari-

ſone of Braan and Channonrie as a part of that regiment 1114. l. 13. s. 4. d. So reſts for Compleating the pay of that regiment 2167. l. 6. s. 8. d. more the maſter of Forbeſſe troope being 59. ſtronge is 1461. l. Inde 5132. l. 6. s. 8. d. To be payed as followes out of the reſt of the Shire of Bamff 224. l. 8. s. 1. d. The maintenance of the Shire of Aberdeen (the exemption of Burgh and Shire deduced) is 5255. l. which Compleats the ſaid Foot and Horſe, and there reſts 347. l.

VI Captain Lundies troope 60. ſtrong 1479. l. To be payed as follows out of the reſt of the Shire of Aberdeen 347. l. the maintenance of the Shire of Kincardin 1339. l. 2. s. So reſts by Kincardin 207. l.

VII Lord Generalls troop 60. ſtrong with the addition of a trumpeter and a Kettle drum 1529. l. the Laird of Eight his troop 51 ſtrong is 1317. l. Lord Brichens troope 60. ſtronge is 1479. l. Sir Thomas Nairnes troope 50. ſtrong is 1299. l. The Lord Arbuthnets Company of Foot being 80. ſtrong is 900. l. Inde 6524. l. To be payed as follows, Out of the reſt of Kincardin 207. l. the maintenance of the Shire of Forfar exemptions being deduced 4682. l. 10. s. 8. d. the Burgh of Monroſſe 360. l. Forfar 36. l. Aberbrothock 81. l. Dundie 1260. l. ſo reſts 101. l. 10. s. 8. d.

VIII. PITSCOTIE his Regiment of Foot being 400. ſtronge with the officers of four Companies is 4605. l. the charge of Pitſcotties Regiment extends to 117. l. more, in all 4722. l. Sir John Brouns troope 75. ſtrong is 1749. l. Leutenant Collonel Bruces troop 58. ſtrong is 1443. l. inde 7797. To be payed as followes forth of the maintenance of the ſhire of Perth with the burghs thereof exemptions being deduced 6857. the reſt of the ſhire of Forfar 101. l. 10. s. 8. d. the maintenance of Clackmannan 853. l. 9. s. further to be payed by the Generall Commiſſary 117. l. which Compleates the ſaid Foot and Horſe, and reſts 14. l. 19. s. 8. d.

IX. LORD Elchoes Troop 61. ſtrong, is 1497. l. Capeldrae his Troop 51. ſtrong 1317. l. Lawers Regiment of Foot is 644. ſtrong, 7400. l. 13. s. 4. d. Colonell Hackets Troop 60. ſtrong is 1479. l. inde 11693. l. 13. s. 4. d. To be payed as follows, forth of the Maintenance of the Shire of Fife 8493 l. 5. s. 6. d. the Burghs of Fife exemptions being deduced 2205. l. Kinroſe 218. l. 10. s. 8. d. the reſt of Clackmannan 14. l. 19. s. 8. d. The Towns of Hadingtoun, Dumbar, Northberwick and Queensferrie 639. l. more to be paid to Lawers Regiment by the Generall Commiſſary 122. l. 17. s. 6. d. which compleats the payment of the ſaid Horſe and Foot.

X. CAPTAIN Brodes Troop 46 ſtrong, 1227. l. To be paid forth of the Maintenance of the Shire of Linlithgow 1979. l. 16. s. 3. d. which payes the Troop, and there reſts 749. l. 16. s. 3. d.

XI. GENERAL Major Holburnes Regiment of Foot 380 ſtrong, 4542. l. Scotiſcraig his Troop 60. ſtrong, 1974. l. inde 6021. l. To be paid out of the Shire of Linlithgow 749. l. 16. s. 3. d. the Maintenance of Stirling (exemptions being deduced) 2629. l. 6. s. 8. d. the Town of Stirling and Linlithgow 522. l. forth of the Maintenance of Edinburgh Shire 2120. l. which compleats the ſaid Regiment and Troop.

XII. INGLISTOUNS Troop 57. ſtrong, 1425. l. Rickertouns Troop 59 ſtrong 1641 l. inde 2186. To be paid forth of the Maintenance of the Sheriffdom of Edinburgh 2886. l. which compleats the ſaids Troops, and there reſts 385. l. 12 s.

XIII. ALLANTOUNS Troop 60 ſtrong, is 1479. l. the Marquiſſe of Argyle his Regiment 600 ſtrong 7004. l. 13. s. 4. d. whereof already aſſigned for the Garriſon of Ruthven 300. l. ſo reſts for payment of the Regiment 6704. l. 13. s. 4. d. inde 8183. l. 13. s. 4. d. To be paid forth of the Shire of Lanerk 3503. l. 14. s. Glaſgow 1170. l. Rutherglen 36. l. Out of the Shire of Air and Burghs thereof 1199 l. Out of the ſhire of Wigtoun and Kirkcudbright 2284. l. which compleats my Lord Argyles Regiment and the Troop.

XIV. THE Laird of Arnots Troop, my Lord Cathcart and Gathgirts Troop, each of them 60 inde 4437. l. To be paid forth of the reſts of the Maintenance of Air and Burghs thereof, which compleats the ſaids Troops.

XV. THE Garriſon of Dumbartan for a Lieutenant and 54 men, 526. l. more the Laird of Greinocks Troop 60 ſtrong, 1479. l. inde 2005 To be paid forth of the Shire and Burgh of Renfrew 1804. l. out of Wigtoun and Stewartry 201. l. which compleats the Garriſon and Troop.

XVI. SIR Robert Adairs Troop 80 ſtrong, 1839. l. To be paid out of the Maintenance of Wigtoun and Stewartrie of Kirkcudbright and Burghs thereof, which compleats the ſaid Troop, and there reſts 133. l. 2. s.

XVII. THE Garriſon of Illa 30. men, 310. l. Sir Charles Erskines Troop 50 ſtrong, 1299. l. inde 1609. l. To be paid furth of the Maintenance of the ſheriffdom of Bute and Town of Roſſe 446. l. 16. s. The ſheriffdom of Dumbartan and Burgh thereof 990. l. 11. s. the reſt of the ſheriffdom of Wigtoun and Stewartry 133. l. 2. s. more by the Generall Commiſſary 35. l. 13. s.

XVIII. CAPTAIN Carmichaels troop 60 ſtrong 1479. l. Col. Scot his troop 60 ſtrong 1479. l. Craig-

daroches troop 54 ſtrong 1371. l. inde 4329. l. To be paid forth of the Sheriffdom of Dumfreis and Burgh thereof, which compleats the ſaid troop, and there reſts 413. l. 18. s.

XIX. LIEUTENANT Colonell Ker 53 ſtrong, 153. l. Captain Scots troop 50 ſtrong 1299. l. Greenheads 200. Foot, 2228. l. inde 4880. l. To be payed forth of the Shire of Roxburgh and town of Jedburgh 5864. l. 12. s. reſts 984. l. 12. s.

XX. THE Laird of Swintouns troop 62 ſtrong 1515. l. Arbuthnets troop 50 ſtrong 1299. l. Murkills Foot 160. men, with compleat Officers of the companies, excepting a Lieutenant and a Serjeant, is 1814. l. 6. s. 8. d. the Laird of Wedderburns 100. foot with compleat Officers 1114. l. inde 5742. l. 6. s. 8. d. to be paid forth of the ſheriffdom of Berwick and town of Lauder 5765. l. which compleats the ſaid troop, and there reſts 22. l. 13. s. 4. d.

XXI. LORD Chancellors troop 100 ſtrong, with addition of a Trumpeter 2224. l. Ormſtoun his troop 60. ſtrong 1479. l. inde 3703. l. to be paid forth of the ſhire of Hadingtoun, beſides the Burghs 4904. l. 10. s. which compleats the troops, and there reſts 1201. l.

XXII. ROOT-MASTER Cranſtoun of Glen 44 ſtrong, is 1191. l. to be paid forth of the ſhire of Selkirk and Burgh thereof 1550. l. which pays that troop, and there reſts 359. l.

XXIII. CAPTAIN Cranſtoun younger 34 ſtrong 1011. l. to be paid forth of the Shire and Burgh of Peibles 1554. l. which payes that troop, and there reſts 543. l.

ITEM, Reſts the whole Maintenance of Edinburgh, extending to 6480. l.

ADDE to the reſts the ſum of being the Maintenance of the ſheriffdom of Orkney, and 310. l. reſting out of the Iſles of the Shire of Inuerneſs.

AND the ſaids Eſtates Ordaines Sir James Stewart Generall Commiſſary to pay the General Officers, and the Writer of the Story of the times their monethly pay: And ſir James Frizell 200. l. per menſem, out of the readieſt of the reſts of the Maintenance of the ſeverall Shires reſpective, and out of the Maintenance of the Burgh of Edinburgh.

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283 ACT in favours of Maſter Alexander Ferres Miniſter at Crathie.

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COMMISSION for viſitation of the Univerſity of Edinburgh. 284

[LIST of the Viſitors of the Colledge of Edinburgh.

Miniſters	Elders
Maſter Robert duglaſſe	Lord Chancellar
Maſter Mungow Law	M. of Argyll
Maſter Pat: Gilleſpie	E. of Caſſills
Maſter Jo: ſmyth	E. of Lothian
Mr George Hutcheſone	E. of Eglintoun
Mr George Leſlie	E. of Bacleugh
Mr John Weir	L. Regiſter
Mr david Calderwood	L. Libbertoun
Mr John ſinclair	L. Southhall
Mr James Guthree	Wauchtoun
Mr Wm. Jameſone	Nidrie
Mr Jo: Livingſtoun	Scotſcraige
Mr Jo: Muncreiſe	Ingliſhtoun
Mr Walter Gregge	Dundaſſe
Mr david forret	Mr Alexr Colvill
Mr Rot: baillie	
Mr James Wood	
Mr Rot: blair	
Mr Samuel Rutherfurd	
Mr Ephraim Melvill	
Mr Thomas Vaſſie	
Mr James Neſmyth	
Mr James durhame	
Mr Rot: Ker	
Mr Wm dagliſſe	13 a quorū whereof
Mr James hammiltoun	9 Miniſters
Mr Heugh mckoll	

To meet at Edr the day of Auguſt and at ſuch other diets as they ſal think fitt

31. Julij 1649

The Eſtaitte of parliat approves the liſt w'in w'ttin & graunts Commission to them in Cōmuni forma

LOUDOUN. Canrius

I. P. D. P.]

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COMMISSION for viſitation of the Univerſity of Aberdeen. 285

[LIST of the Viſitors of the Colledge of Aberdine

Miniſters	Ruling Elders
Mr Robert Duglaſſe	Mr Thomas Gray Proveſt of Aberdein
Mr James Guthree	Georg Cullen baillie þr
Mr John Nevoy	Alexander Jaffrie Baillie þr
Mr Pat: Gilleſpie	My Lord Arbuthnet
Mr Samuel Rutherfoord	Sr James Melvill
Mr James Wood	The Laird of Fingaſk
Mr david forret	

Mr Johne Muncreiſe	Tutor of Pitſligo
Mr John Robiſone	Laird of Echt
Mr George Pittcullo	Laird of Brodie
Mr Androw Cant	The Laird of Kermuck
Mr John Row	The Laird of Watertoun
Mr Johne Menges	Leſlie younger
Mr Androw Strachan	Mr Alexr Skein
Mr Androw Abercrombie	Mr Androw Skein
Mr John Paterſon	John Jaffray
Mr Ror: Keith	Mr Thomas Sandielands
Mr Duncan forbes	The Laird of Leys
Mr Alexr Cant	
Mr John young	
Mr Alexr leſk	
Mr Gilbert Anderſon	
Mr Murdo McKenzie	
Mr John Annand	
Mr Wm falconer	Eleven Miniſters to be
Mr Joſeph Brodie	a quorū

To meet the firſt Wedneſday of Aprile at Aberdine.

31 · Julij 1649

The Eſtaittꝭ of parliat approves the liſt wtin wttin and graunts Commission to them in Communi forma

LOUDOUN · Canrius
I P D P.]

. . . . . .

COMMISSION to certaine perſons for apprehending ſome Witches in Inuerkeithing.

286 THE Eſtaites of parliament Having heard and conſiderit ane Supplicaõune given in be the Preſbritie of dumfermling And Mr walter bruce miniſter At the burgh of Inuerkithing Shewing that wharas ther wer ſeuerall delaõuns of witchcraft Againſt the wyves off the majeſtratts and other perſouns of the ſaid brugh of Inuerkithing whom the ſaid majeſtrats Refuiſed to apprehend, THE preſbritre of Dumferling did viſitt the ſaid brugh of Inuerkithing And deſired and delt with the majeſtrats and toun counſell to give ther full power and commiſsione to certaine honeſt men in the toune to apprehend put in firmance and tak tryall of ſuch perſouns As they ſhould allowe and judge worthie to be apprehendit and tryed as ſaid is who did at that tym conſent and agree þto ȝitt nevertheleſs ſince that tym the majeſtrats and toune counſell ſlights that work and refuiſes to give ther power in maner forſaid THERFOR they earneſtly deſire that the ſaids Eſtaites wold give full power and cõmiſsione to the perſouns vnderwrittine viz John Bardie of Selvedge, Wm Blackburne Jon Daviſoune Jon Dowglaſe, Thomas Thomſoune, Jon Anderſone and James Browne burgeſſe of Inuerkithing To cognoſce and put ſuch perſouns in firmance and ſuir ward And doe þe dewtie of the Magiſtrats for that effect as ſhall be judged and allowed wordie and tryed by them as ſaid is That both the ſaids Eſtaitês and the places qr they leive may be fred of ſuch vyll perſouns QUHILK being taikin into conſideratione Be the ſaids Eſtaites of parliament They haue given and granted and be thir preſents gives and grants full power and cõmiſsione To John Bairdie of Selvedge Wm Blackburne Jon daviſone John Dowglaſs Thomas Thomſone Jon Anderſone and James broun burgeſſe of Inuerkithing to aprehend put in firmance and ſure ward ſuch perſouns wtin the ſaid brugh as the ſaid Preſbitrie of Dumfermling ſhall put to tryall for the crym of witchcraft with power to them to doe the dewtie of the majeſtrat within the ſaid [burgh] to the effect abone ſpẽitt

EXEMPTION to Agnes Beatoun

THE Eſtaittꝭ of parliat Taking into conſideration 287
ane former act of parliat of the daitt at St andro's 23. of Decr 1645. yeires wrby Agnes beatoun relict of vmqll Coline Campbell of ſouterhous hir landꝭ and tennentꝭ ar exeimed from payt of maintenance or any publict [dues] for the reaſones therin conteinit Therfore The ſdꝭ Eſtaittꝭ of parliat doeth exeim The ſd agnes beatoun and hir Landꝭ & tennentꝭ from payt of the preſent maintenance till the firſt of Novr nixt And ay and whill the ſamyn exemption be diſchargit And diſcharges all Collectorꝭ officerꝭ & ſhouldierꝭ and Meſſrꝭ or any other perſones whatſomevir to trouble hir or hir tennentꝭ for any publict deues whatſoevir

ACT anent the diſmiſsing of 200. men under Colonell Forbes.

THE Eſtaittꝭ of parliat Conſiddering That the 288
Maintenance and Localitie of the forces horſe and foott wtin this kingdome ar now ſetled be act of parliat And That they have no vſe of any more foott for the preſent Therfore They have Ordainit and ordainis That the Tuo hundreth foott wt their officers in abd & bamſe ſhyres under the Command of Collonell forbes be diſmiſſed and ſent home to their ſeverall maſterꝭ & places they come fra And Their armes to be takin from them unbroken or ſpoyllit And wher they ar wanting their officerꝭ to mak them up again That the ſamyn may be delyverit To the Governor of the boig of Gight Or any having the preſent charge of the ſd houſe to be layed up for the vſe of the publict And The ſdꝭ Eſtaittꝭ of parliat Recommends to Gñall leivt David Leſlie To cauſe the ſamyn be putt to execution in an ordorlie way wt all dilligence That the ſdꝭ ſhouldierꝭ may goe to their homes in ane peicable maner wout committing any diſorders in the cuntrey And the armes to be delyt as ſaid is And ordaines the officerꝭ of the ſds 200. foott to be obedient to the ſd order under all hieſt paines

ACT for ſetting John Leith of Harthill at libertie.

289 THE Eſtaittꝭ of parliat Taking to Conſideration The Earneſt deſyre of Joⁿ leith of harthill ather to be ſett at libertie furth of the tolbuith of Edr or elſ to have ſo much daylie allowed As he may live vpon They have ordainit And Ordaines The Proveiſt and bailȝies of Edr To ſett the ſaid Joⁿ leith of harthill at libertie furth of the tolbuith of Edr wtin tuentie four houres nixt after the intimation of this act And If neid beis Ordaines letters of horning to be direct heirupon againſt the ſdꝭ proveiſt ⁊ bailȝies to the effect aboveſpēit on ane ſimple charge of tuentie four houres as ſaid is

ACT and nomination of John Kniblo to be Commiſſar of the Artillarie.

290 THE Eſtaites of parliament Conſidering the Abilities and qualificaᵒune of John Kniblo merd burgeſe of Edr And Conſidering his Caire and diligence of the truſt Cōmitted to him Be the Cōmittie of Eſtaites in december laſt as Cōmiſſr of the Artyllarie Therfoir They haue nominat and Elect And heirby doe Elect nominat And appoynt The ſaid John Kniblo Cōmiſſr of the Artyllarie of this kingdome of Scotland And doe heirby giue and grant to him the haile priviledges honoꝭ dignities proffittes fies and caſualities Belonging to the ſaid place als amplie and fullie als James Hamiltone lait Cōmiſſr of the Artyllarie or any other Cōmiſſr of the Artyllarie was in poſſeſſioun heirtofoir And doe heirby Ratifie and approve the Cōmiſsioun granted be the ſaid Cōmittie of Eſtaites to the ſaid John Kniblo of the dayt the nyntein day of Debber Jm vjc fourtie eight yeires In the haile headꝭ Articles ⁊ clauſes þof

291 ACT in favours of James Hammiltoun late Commiſſar of the Artillarie.

[PETITION of James Hammiltoun Commiſsar to the Artiliarie.

TO the right honourable the Committee of Bills, the humble Petition of James Hammilton Commiſsar to the Artilliarie

Sheweth

THAT where I being Imployed in the publict ſervice of this Kingdome ſince the begining of theſe troubles wtout and wtin the ſaid kingdome, and being moſt willing and readie at all occaſions at whatſomever paines and hazard to obey the comands laid vpon me, The keeping of the publict Magazine of this Kingdome being putt vpon me be the Committee of Eſtates, after the returne of the Army from the North of Scotland in the moneth of Aguſt 1647 and ſince that tyme to this day have receaved no money at all from anie perſon wtſomever for defrayeing the neceſsarie charges beſtoued be me vpon the ſame, which charges amounting to the ſoume of four thouſand pounds and above payed be me to Merchants and poor tradſmen wtin Edinburgh and Leith for ſeverall furnitour made and given in be them at ſeverall occaſions, ffor the wch ſoumes, the publict after auditeing my accompts did graunt me a Precept vpon the late Generall Commiſsarie, which he did accept, but he being diſabled to anſuere the ſame it became ineffectuall as his teſtificat heerwith produced will verifie more amplie, And ſeing I have never receaved anie thing for my perſonall ſervice to the publict now theſe nyne years, dureing all which tyme I humble conceave that I have behaved myſelf faithfullie, and that I did reallie and truelie lay furth and deliver the ſaid ſoume to the merchants and tradſmen as was found at the examineing and approveing of my ſaid accompts MY humble deſire therefore is, that your Lo/ would be pleaſed, now after ſo long forbearance, to appoynt me to be effectuallie payed of the aforeſaid ſoume conforme to my Precepts, and to give a new warrand for that effect according to the Late Generall Commiſsaries declaration vnder his hand which is lykewayes notour to manie of your Lo/ number

Laſt of Julii 1649.

The Cōmittee of diſpatches thinks fitt that the Parliat ſerioufly recōmend to the Cōmittee of moneyes, To cauſe the ſupplicant to be effectually payed of the Sūmes due to him by the Publict, Conforme to the Inſtructions of his Bill, And that before the Arms, and Amonition wch are in his Cuſtody, be taken from him, and delyuered to any other.

31 Julij 1649

The parliat approves the report of the Committie of diſpatches abovewttin

LOUDOUN . Canrius

I P D P]

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ACT appointing the places for ſearching and poynding of movables, before compryſing againſt the Earle of Seaforth to be Braan and Chanorie of Roſs.

292 THE Eſtaites of parliat Taking to ther conſideraᵒune the deſyre of the Creditoꝭ of George Earle of ſeaforth Bearing that he is adebted to them in diverſe great ſoumes of money Qᵒ they can get no payt be charges of hornyng He being furth of the kingdome this lang tyme bygaine and no certantie nor apearance of his Returne Sua that the ſaids Creditoꝭ ar Lickly to be altogither fruſtrat

of ther juſt debtis and will be forcit to Compryſe his Lands and Leiving ꝑfor THE proſecuting wherof be the ordinar forme and way preſcryvit and wſeit be the Lawes and practiq̃ of this kingdome In ſearching and ſeiking of his moveable guids vpon the ground of all his ſeverall Landis Befor denuncia°uns and after ſearching and ſeiking to denunce vpon the ground of everie one of the ſaids lands And be oppin procla°une at the mercatt croces of the head burrowis of all the ſhyrefdomes and wꝑis juriſdictiouns wher the ſamyen lyes wald be both tedious expenſive and hazardous in this troubleſome tym And altogither vnpoſsible to his Credito^r^ to get ſo exactly done as is requyred be the ſtrict forme and ordour of the lawes of this kingdome Seing the moſt part of the ſaid Earle his lands lyes in the moſt remott north parts and ylles of this kingdome whair vnto ꝑ^r^ is no paſsage bot by ſea and that not at all tymes bot at ſom ſpeciall occaſiounes and the ports and paſsages ar vnder the power and Cōmand of the ſaid Erle and his freinds who will nevir ſuffer no meſſ^r^ of armes to paſse and Execuite any lr̃es againſt him w^t^in his ſaids bounds Sua that non patet tutus acceſſus And the ſaids Eſtates being very cairfull to remeid caices of this kynd for the eaſe and weill of the Leidges THERFOR the Eſtaites of Parliament Statutes and Ordaines in all tym coming that q^r^as any of his ma^ties^ leidges ſhall haue occaſioun to compryſe the ſaids Erl^is^ Land^is^ and Leving for juſt debtis That the ſearching and ſeiking of his movable guids at any ane of his ſpeciall duelling houſes of Braan or in Chanry of Roſe Befor denuncia°une and in defect of moveable guids poyndable The denuncia°une of his ſaids Lands and Leiving and warning of himſelf and all o^r^ haveand entreiſs At any on of his ſaids tuo duelling places And be oppin procla°une at the Marcatt croces of Inuernes head burghe of the ſhrifdome q^r^ his ſaids Lands and Leiving lyes (and at the mercat croce of Edinbur^t^ peir and ſhoore of Leith during the ſaid Earle his abſence furth of this kingdome) ſhall be alſ ſufficient as if the ſearching ſeiking and denuncia°uns war done and wſeit vpon the ground of all and ſindry his lands lordſhipps baronies and wtheris ꝑtening to him and be oppin procla°une at all the Marcatt croces of the head borrowis of the ſhyres and wꝑ^ris^ juriſdictiouns q^rin^ the ſamyen lyes ſeeing the ſearching, ſeiking denuncia°une and warning at the places reſiue forſaids will mak the doing therof publict and noto^r^ to the ſaid Earle and his freinds and all wꝑ^ris^ haveand or pretendand to haue entreiſe And declaires the ſaid^is^ ſearchings ſeikings and denuncia°unes warnings and compryſings to follow ꝑ^r^vpon To be als laufull valeid and ſufficient as if the ſaids ſearchings ſeikings denuncia°uns and warnings wer done and wſeit vpon the ground of all and ſundry his Lands Lordſhipis Baronies and v^r^ perteining to him And he warneit perſonallie apprehendit notwithſtanding of whatſumevir Laues or practiq̃ can be aledgitt in the contrare Quhairanent the ſaidis Eſtaites of parliament hes diſpenſitt and be thir preſentes diſpenſ^is^ for evir And farder declaires this p̃nt act to be alſweill for bygaine compryſing^is^ as in tyme coming.

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I AUGUSTI.

ACT in favours of Maſter Robert Farquhare. 293

. . . . . .

CITATION in favours of John Stewart of Coldinghame. 294

. . . . . .

ACT in favours of Maſter Thomas Ireland Miniſter at Weym. 295

. . . . . .

ACT in favours of John Murray of Brughtoun. 296

. . . . . .

ACT in favours of Fergus Grahame of Blaakwood. 297

. . . . . .

II AUGUSTI.

ACT and warrand for ſecuring Robert Craig ſuſpect of theft. 298

. . . . . .

ACT and warrand to the Proveſt, Bailzies and Counſell of Aberdeen, to try and Miniſter juſtice upon Gilbert Simpſon. 299

. . . . . .

ACT in favours of the Laird of Glenurquhie. 300

. . . . . .

ACT in favours of Duncan Forbes of Culloden. 301

. . . . . .

ACT in favours of the Towne of Edinburgh anent the ſtones of the fortification cal'd the Spur. 302

. . . . . .

ACT in favours of Maſter George Clerk Miniſter. 303

. . . . . .

III AUGUSTI.

ACT anent the Removall of the Forces of this Kingdom to their Localities, and Anent tranfient Quarters.

304 THE Eſtates of Parliament finding it neceſſary that the Regiments, Companies and Troops within this Kingdom, be appointed to go with expedition to the ſeverall Places where their localities doe lie, and likewiſe that the pay of the tranfient quarters of the ſeverall Regiments, Companies and Troops be cleared: Therefore they have Ordained, and ordaines, that the ſeverall Commanders of the Regiments, Troops and Companies ſhall receive under the hand of the Generall Commiſſary or his Deputes, the ſeverall Places Ordained by Act of Parliament for their localities, with the particular ſums of their Pay; And that the Generall Commiſſary give orders to the ſeverall Collectors to go with the Officers of the reſpective Regiments, Troopes and Companies to the Committees of War, whereby the Committees of War may regulate their ſeverall diviſions according to the localities of the Maintenance of Shires and Burghs therein, whereby Marches may be cleared, and they accommodated, every one according to their own locality, with the leaſt prejudice to the Shire, and ſatisfaction to the Forces, ſo as all may be kept clear betwixt Collectors and the Forces.

AND in regard there will be a neceſſity of Regiments, Troops and Companies marching from place to place to their localities, or upon other emergents, and ſo muſt of force march thorow others localities; The Eſtates of Parliament Ordains, That each Regiment, Troop or Company ſo Marching, ſhall be obliged to leave Billets according to their juſt number for their quarterings, ſubſcribed by the officer who commands the Regiment, Troope or Company for the time, and the Commander to take the Teſtificats of the Collector, or Commiſſioner of the Paroch for the time, or the Teſtificat of ſome honeſt Gentlemen within the ſaid Paroch where he quartered, that he has left with them ane juſt Billet of the whole number of all theſe quartered by him or any under his command, and that under the pain of caſhiering him, beſide other puniſhment, and that the Billet ſo left by the officer be allowed to the ſeverall Heritors by the Collectors of the Shire in the firſt end of their maintenance, and that each Footman be allowed at five ſhillings per diem, and each Trooper at ten ſhillings per diem, and that each Regiment, Troop or Company who hath their locality within that Shire where the Billet is left, ſhall accept the Billet aff the Collectors of the Shires hand for payment pro tanto, and that the Collectors in the ſeverall Shires, who has the Collecting of the maintenance where the localities of the Regiment, Troop or Company who left the Billet lieth, ſhall be obliged to pay and refound back to the Regiment, Troop or Company who has accepted the Billets for payment out of the firſt end of what is due to the Troops, Regiments or Companies that left the Billets, and where Billets are not left, that the quarterings ſhall be allowed to the Heretors in the firſt end of their maintenance aff the localities of theſe that quartered upon them, & the quarterings to be proven in Communi forma, and when neceſſity ſhall occaſion the calling together of any number of the Forces, that they be ſtill obliged to give Billets of their quarter; and if any Shire ſhall be overburthened above their maintenance, that they ſhall have repayment aff the Collectors of other Shires where theſe Troops, Regiments or Companies who gave the Billets has their localities, And the Collectors are hereby ordained not to pay money to any Troop or Regiment after their removing from their locality, But to Collect and keep the ſame in their hands for Payment of the tranfient quarterings, and ſatisfying the Forces of what they have not taken up by quarters.

. . . . . .

ACT remitting all Bills to the Committee of Eſtates. 305

. . . . . .

PRECEPT for ſummoning certaine Hielanders and others to compeer before the Committee to ſit at Perth. 306

. . . . . .

ACT in favours of John Mackrannald of Moydart. 307

. . . . . .

ACT in favours of the Widowes and lame Souldiers in Perth ſhire. 308

. . . . . .

COMMISSION to Maſter David Weyms of Balfarge, for collecting the Maintenance of Auguſt and September, 1648. and months preceding. 309

. . . . . .

APPROBATION of ſome articles anent the Generall Commiſſars accompts. 310

. . . . . .

IV AUGUSTI.

ACT and Commiſsion for a new *Valuation.*

THE Eſtates of Parliament taking unto their conſideration the many complaints and grievances within the Kingdom, againſt the unequality that 311

hath been in bearing publick burdens, and being deſirous that all the ſhires of the Kingdom, and every perſon within the ſame, may bear an equall proportion, according to the true worth of their Eſtates. Therefore they do nominate and appoint for the Sheriffdom of

or either of them conveeners for the firſt meeting, and

which Commiſſioners for the ſaid Shire ſhall meet on Thurſday the *30.* of Auguſt next, or ſooner, as the Conveeners ſhall appoint, and chooſe a Clerk and other members of Court neceſſary, and the Eſtates of Parliament do Ordain the ſaid Conveeners, or either of them to take the ſolemn oaths of the ſaids Commiſſioners, that they ſhall uſe their beſt endeavours for a right and true information of the whole rents of the ſaid Shire, and that they ſhall proceed faithfully and impartially in proſecuting their Commiſſion, and the Inſtructions relating thereunto: With power to the ſaid Commiſsioners, or the major part of them as a Quorum, and if the major part exceed five, five to be a Quorum, to rectifie and improve to the beſt avail the former Valuations; And for that effect, to direct our ſummons againſt ſuch perſon or perſons within the Shire, as they ſhall think fit to compeir before them, and to declare upon Oath the true Rents of any Paroch or place of the Shire, according to their knowledge, and in caſe any ſhall contemn or refuſe to compeir and depone, to impriſon or fyne them into a pecuniall ſumme, not exceeding one hundred pounds, and to take all ſuch further Information, as they ſhall finde neceſſary for getting knowledge of the true worth of the whole Rents within the ſaid Shire, as well caſuall Rent of all ſort, as conſtant Rent in ſtock and teinds, and the true value and worth of every land and rent ſet in tak or Rentall, and what the true yeerly worth thereof is, by and attour the rentalled, or tak-duty thereof payable to the Maſter, (reſpect being had to the greſſum or entreſſe, if any was payed by the Takſmen or Rentaller at his entry; And of all Few, or Tak-duties payable to any perſon, his Majeſties duties excepted) and of all other caſualities payable for ſtock, or teynd according to the table annexed. All which they are to value exactly, by converting the victuall into money, according to the reſpective prices ſet down in the ſaid Table, and by converting caſualities into money, at the juſt rates which they give for the time in that Shire where the ſaid caſualities and commodities are valued. With power likewiſe to the ſaid Commiſsioners, or the major part of them as the Quorum, and if the major part exceed five, five to be the Quorum, to take all former valuations into conſideration, and rectifie the ſame where they have been unjuſtly valued, and where they finde that any perſon hath been undervalued, to augment the valuation of their rent to the true worth, and adde the ſame to the totall of the rent of the Shire, and thereby bring the whole rent of the Shire to the full value, and alſo reduce the whole Shire to an equality and proportion among themſelves. And in the forming their report, the ſaid Commiſsioners ſhall ſet down a Roll for every Paroch, which in the firſt place ſhall contain the money Rent of the Paroch. Secondly, the quantity of the victuall payed in the Paroch, and the ſeverall ſpecies thereof; and what meaſure, and how much the ſame doth amount unto, being converted into money. Thirdly, the kinde of caſualities or cuſtoms payed for ſtock, or teynd, the number thereof, and the price of each caſuality diſtinctly, and how much the ſame doth extend to in whole, being converted into money. Fourthly, the caſuall Rent according to the Table, and what it doth extend to. Fiftly, the Few and Tak-duties (his Majeſties excepted) and what the ſame doth extend to. Sixthly, the mortified rent, and how payed in money, victuall, or caſuality, and what the ſame doth amount to. Seventhly, the duties payed to his Majeſties Exchequer, and the ſum thereof; And after the Roll of all the Paroches are ſet down, then they are to caſt up the totall of the valuation of the whole Shire, by and attour the mortified rent and duties payed to the Exchequer, which are to be ſummed in an Article apart, and in a third Article they are to ſet down the totall of their former valuation, which is herewith delivered to the Commiſsioners for ilk Shire, under the Clerk Regiſters hand, and laſtly they are to ſet down what this preſent valuation to be made, doth exceed the former valuation; In all which, the form and pattern ſubjoyned, is to be obſerved. And the ſaid Commiſsioners are to ſubſcribe the Report formed as aforeſaid, and to deliver the ſame to the Clerk Regiſter or his Deputes, betwixt and the firſt of November next to come, and in caſe any Shire ſhall fail therein, or ſhall bring in a Report not agreeable to the Rules and Directions now preſcribed, they ſhall pay the half more of Maintenance then they are appointed to pay by the preſent Act of Maintenance, ay and while they produce and report their valuations in manner before preſcribed, and if the failzie ſhall be on the part of the valuers, or any of them; the reſt of the Shire ſhall have their relief off them. And further, the Commiſsioners are to ſend one from each Shire with the ſaid Valuation againſt the firſt of November, which Commiſſioners ſhall meet with the Committee of Eſtates for comparing the ſaid valuations, and perfecting the ſame, that they may be a Rule for the future in impoſing all publik burdens according to an equall proportion, and if there be any difference which cannot be ſettled by the Committee of Eſtates, and the ſaids Commiſsioners, that it be referred to the Parliament, And it is hereby declared, that no reſpect ſhall be had to any valuation to be reported, that ſhall be under the totall

of the former valuation, which is herewith delivered to the Commiſsioners of ilk Shire by the Clerk Regiſter. *Extractum, &c.*

THE totall of the former valuation of this Shire is,

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FORM of the Report to be made by each Shire.

THE Roll of the Rent of the Sheriffdom of A. made and ſet down by the Commiſſioners underſubſcribing, appointed for that effect by Act of the Eſtates of Parliament of this Kingdom, holden at Edinburgh the fourth of Auguſt, 1649. which Commiſsioners having met on the day of Auguſt laſt, and having judicially given their oaths to uſe their beſt endeavours for a right and true Information of the Rents of the whole Shire, and to proceed faithfully and impartially in proſecuting their Commiſsion, and Inſtructions relating thereunto, which they have carefully performed in every point; After ſerious and mature deliberation, they have made and ſet down the Roll following in Articles according to the number of the ſeverall Pariſhes within the ſaid Shire, and have caſt up the ſums according to the direction of the Parliament.

I. A. B. For himſelf and remanent Heretors, Fewers, Life-Renters, proper Wood-ſetters, and others within the Pariſh, of their money rent, doth extend to

II. PAYED of wheat in the ſaid Pariſh Chalders, and Bolls according to the meaſure of Linlithgow prick met, which being converted into money at the price of for every Boll extends to

OF Bear in the ſaid Pariſh Chalders and Bolls according to the meaſure of Lynlithgow prick met, which being converted into mony, at the price of for every Boll extends to

OF Meal in the ſaid Pariſh, &c. as before concerning the Wheat and Beer.

OF Rye in the ſaid Pariſh, &c.

OF Peaſe and Beans in the ſaid Pariſh, &c.

OF Oats in the ſaid Pariſh, &c.

THE ſum of the price of the whole victuall, and money in each Pariſh, to be ſet down at length, and alſo in figures on the Margine, on the right hand.

III. PAID of caſualities or cuſtomes in the ſaid Pariſh.

IV. PAID in caſuall Rent, for Coal.

For Salt.

For Fiſhings.

V. PAYED in Few, and Tak-duties to other perſons beſide the duties payable to his Majeſty.

VI. PAYED in mortified Rent to the Miniſter and School-maſter, to the Colledge or Hoſpital of in mony

PAYED in victuall and here to ſet down the ſeverall ſpecies, the quantity and price, and the caſualities, if any be with the kinde, number and price, and to convert the ſame into money, as before Sum of the mortified Rent of the Pariſh.

VII. PAYED to his Majeſties Exchequer in money

PAYED in victuall or caſualities, which being converted into money, extends to

THE totall of the preſent valuation of this Shire, beſide the mortified Rent, and what is payd to the Exchequer extends to

THE mortified Rent, and what is paid to the Exchequer, extends to

THE totall of the former valuation of this Shire, extends to

THE preſent valuation doth exceed the former.

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TABLE of the prices of Victuall in the Reſpective Shires of the Kingdom.

THE Wheat generally throughout the Kingdom, of Lynlithgow meaſure, price of the Boll thereof 6 l. 16 s. 8. d.

BEER, Rye, Peaſe, of Lynlithgow meaſure in the Shires of Lynlithgow, Edinburgh, and Hadingtoun 5. l. 6. s. 8. d.

OATS and Meal there, of the meaſure foreſaid 4. l. 13. s. 4. d.

BEER, Peaſe, and Rye, of the foreſaid meaſure, in Teviotdail, Merſe, Selkirk, and Lauderdail 5. l.

OATS and Meal there 4. l. 6. s. 8. d.

And becauſe Teviotdail hath five furlots in their Boll, therefore the fourth part of five pound ought to be added to the price of their Boll, which is 6. l. 6. s.

IN Peibles, Lanerk, Air, Renfrew, Dumbartan, and Bute, the Beer, Peaſe, and Rye, of the foreſaid meaſure of Lynlithgow 4. l. 13. s. 4. d.

And if the meaſure be more, that it be augmented, conform.

MEAL and Oats there 4. l. 10. s.

WIGTOUN, and Kirkcudbright, Bear, and Meal 4. l. 16. s. 8. d.

Of Lithgow meaſure in reſpect their ſingle Boll, is a Boll and a half of Lithgow meaſure, and their

double Boll is three Bolls of Lithgow meaſure, and therefore to be priced accordingly.

DRUMFREIS, Annandail, Bear and Meal of Lithgow meaſure 4. l. 16. s. 8. d.

And becauſe their Boll is two Bolls and a half of Lithgow meaſure, the ſame is to be priced accordingly.

IN Fyfe, Angus, Perth, Clackmannan, Stirling, Kinros, Beer, Rye, and Peaſe, of Lithgow meaſure 4. l. 16. s. 8. d.

MEAL, and Oats there of the ſaid meaſure, except Angus 4. l. 5. s.

AND Angus Meal 4. l. 10. s.

KINCAIRDINE, Elgine, Nairn, Inuernes, Roſs, Cromarty, Sutherland, Bear, Peaſe, and Rye, of Lithgow meaſure 4. l. 10. s.

MEAL and Oats there, except Kincairdine 4. l. 10. s.

MEAL in Kincairdine, of the meaſure foreſaid 4. l. 6. s. 8. d.

ABERDEEN and Bamff, Bear of the meaſure foreſaid 4. l. 6. s. 8. d.

MEAL and oats there, of the meaſure foreſaid 4. l.

ORKNEY and Caithnes Beer 3. l. 10. s.

MEAL there of Lithgow meaſure 4. l.

BY Caſualitie and Cuſtomes mentioned in the third Article of the form of the Report, is to be underſtood Marts, Wedders, Lambs, Swine, Butter, Cheeſe, Oyle, Linnen cloth, Salmond, and Wooll.

BY caſuall Rent mentioned in the fourth Article, is to be underſtood, Salt, Coal, Salmond-fiſhing, and other fiſhings in propertie, whereby there is yeerly benefit.

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312 ACT in favours of Sir Alexander Hammiltoun and Sir James Fraſer.

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313 ACT in favours of Colonell James Weymes Generall of Artillarie

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314 ACT in favours of the Earle of Sutherland and Sir Robert Gordon of Embo.

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315 ACT diſcharging Chalmerlanes and others to be upon the Commiſsion for Revaluation.

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316 ACT in favours of the Laird of Ceſſnock.

. . . . . .

317 ACT in favours of John Dumbar of Knockſhannoch.

. . . . . .

ACT for borrowing of money from one perſon for the ſecond time. 318

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VI AUGUSTI.

ACT anent the Age of Noblemen to ſit in Parliament.

THE Eſtates of Parliament conſidering how neceſſary it is That all perſons Having power of publick truſt in thoſe great Judicatories of Parliament and Privie Counſel, ſhould be of ripe age & experience, ſufficiently qualified for the exerciſe of theſe places, and diſcharge of that truſt to the good of the Kingdom, And that ſuch abilities and experience fit for a publick charge, cannot well be attained to by thoſe who have not attained to the Age of twenty one yeers, who are not allowed through non-age to order and govern their own private affairs: It is therefore Statute and Ordained, That no perſon of whatſomever quality or degree ſhall be admitted To ſit and voice in Parliament or Privie Counſel, unleſs he be of the age of twenty one yeers at leaſt. 319

ACT anent the Levie of Horſe and Foot within this Kingdom.

THE Eſtates of Parliament conſidering how neceſſary it is for the good of the Kingdom, That the remanent of the Horſe and Foot that were appointed to be raiſed and put forth by the Act of Levie of the date the twenty eighth day of February laſt, and are not as yet put forth, ſhould be in readineſſe upon advertiſement; Therefore the ſaids Eſtates of Parliament Have Ordained, and do Ordain the whole Shires and Burghs within this Kingdom preſently to raiſe and have in readineſſe the reſt of the Foot mentioned in the ſaid Act, and not as yet raiſed and put forth, viz. The Sheriffdom of Edinburgh 450 foot: The Sheriffdom of Hadington 450 foot: The Sheriffdom of Berwick 450 foot: The ſheriffdom of Roxburgh and Selkirk 750 foot: The ſheriffdoms of Fyfe and Kinroſe 900 foot: The ſheriffdom of Lithgow 187 foot: The ſheriffdom of Peebles 150 foot: The ſheriffdom of Dumbartan foot: The ſheriffdom of Dumfreis 450 foot: The ſheriffdom of Wigtoun and Stewartry of Kirkcudbryght 450 foot: The ſheriffdoms of Air and Renfrew 750 foot: The ſheriffdom of Lanerick 450 foot: The ſheriffdoms of Stirling and Clakmannan 375 foot: The ſheriffdom of Perth 900 foot: The ſheriffdom of Forfar 562 foot: The ſhire of Kincairdine, and Earl Marſhals part of Aberdeen 450 foot: The reſt of Aberdeen and ſheriffdom of Bamff 600 foot: Out of the ſheriffdom of Elgine and Nairne, and that part of Inuernes on this ſide of Neſs 375 foot: Out of the Earl of Seaforth and Lord Lovats diviſion of Inuerneſs and Roſs 375 foot: Out of the reſt of Inuerneſs, 320

Sutherland, Roſs and Caithnes 600 foot, Out of the ſheriffdom of Orkney 375 foot. And whereas the ſaids Eſtates of Parliament Have found it moſt juſt and reaſonable that in time coming all Levies of Horſe ſhall be proportionated upon the ſeverall ſhires of the Kingdom, according to their Maintenance, conform to the Act of the date the twelfth day of July laſt; And having cauſed caſt up the ſaid proportions accordingly, They do Ordain and Appoint that in the putting forth of the two part of the Levie of Horſe, appointed by the ſaid Act the twenty eight of February, the ſeverall ſhires ſhall put out according to the Liſt following, viz. The ſhire of Roxburgh 180 horſe, and the ſhire of Selkirk, 47 horſe, the ſheriffdom of Fife and Kinroſhire 290 horſe: the ſheriffdom of Linlithgow 66 horſe: the ſheriffdom of Peibles 49 horſe, the ſheriffdom of Dumbartan 30 horſe: the ſheriffdom of Dumfreis 146 horſe: The ſheriffdom of Wigtoun and Stewartry of Kirkcudbright 130 horſe: the ſheriffdom of Air 173 horſe: the ſhire of Renfrew 58 horſe: the ſheriffdom of Lanerk 117 horſe: the ſhire of Stirling 90 horſe: the ſhire of Clackmannan 28 horſe: the ſheriffdom of Perth 228 horſe: the ſhire of Forfar 160 horſe: the ſhire of Kincairdine 44 horſe: the ſheriffdom of Aberdeen 186 horſe: the ſhire of Elgine 54 horſe: the ſhire of Nairn 14 horſe: the ſhire of Sutherland 15 horſe: the ſhire of Caithnes 24 horſe: the ſhire of Cromartie 3 horſe: the ſhire of Bamff 56 horſe: the whole ſhire of Inuerneſs with the ſhire of Roſs 138 horſe: the ſhire of Orkney and Zetland 54 horſe: the ſheriffdom of Argile 80 horſe: the ſhire of Bute 13 horſe. Only the Eſtates of Parliament do diſpenſe for the preſent with the Shires of Edinburgh, Hadingtoun, and Berwick, And do appoint that they put forth their proportion of horſe, according to the Act of the twenty eighth day of February, viz. The ſheriffdom of Edinburgh 133 horſe: the ſheriffdom of Hadingtoun 133 horſe, the ſheriffdom of Berwick 133 horſe; And Ordains the haill Burghs of this Kingdom to raiſe and have in readineſſe the proportion of horſe, according to the Act of the twenty eight day of February laſt, and not already put forth by them, Or in their option, three foot for every horſe and man: And the ſaids Eſtates of Parliament, Ordains the Committees of War to divide and lay on proportionally the horſe, according to the Maintenance upon the ſeverall Heretors and others lyable in putting forth the ſame; And in regard in all former Levies of Foot, The Heretors in ſeverall Shires who have ſmall Rents and many men dwelling upon the Lands, Have born an unequall burden in time paſt, It is now Statute and Ordained, That in all Levies of Foot in time coming, the expences of the outreik in Armes, Levie money, and all other neceſſaries ſhall be equally divided and laid on throughout the Shires, and conform to the Valuation as the maintenance and other common burdens are, And the perſons of men to be put forth of the ſeverall Pariſhes and heretors lands according to the number, Providing that the dividing of the expenſes of armes, levie mony and other neceſſaries through the Shires, Be not a retardment to the putting forth of the ſaid levies of Foot, And ſiclike appoynts the Committees of war to take the particular heretors and others lyable in putting forth horſe and Foot, Obliged for having the ſamen well mounted and armed in redineſſe within Twentie four houres after advertiſment from the Committee of Eſtates, under the payn of four hundered merks for ilk horſe and man, and ane hundred pounds for ilk Footman to be payed by the heretors failing to have them in redineſſe as ſaid is, And where heretors faile to contribute fractions, Ordaines the Committee of War reſpectivè to take an effectuall courſe That the proportion may be in readineſſe as ſoone as the reſt of the Levie, as they will be anſwerable, With power alſo to the ſaids Committees of war with advice of the Collonels To condiſcend upon and name the ſeverall officers of horſe and Foot abovewritten, And further Ordains every heretor lyable in putting forth horſe and Foot to give in ſufficient Armes according to his proportion, And Ordaines the Committees of war to cauſe receive the ſaid Armes, and put them in ſuch a place or places of the ſaids ſhires reſpectivè as they ſhall think fit, With power likewiſe to the ſaids Committees of war with advice of the Colonels, to doe all things conforme to the former Acts of Levies as they ſhall find neceſſary for the more ſpeedie and effectuall raiſing and having in redineſſe the horſe and foot abovewritten; And the ſaids Eſtates of Parliament Ordaines the ſaids Committees of war of the ſaid ſhires of this ſide of Tay to make report of their diligence betwixt and the firſt day of October next, and on the other ſide of Tay betwixt and the fifteen day of October.

ACT of Maintenance for the Moneth of July.

THE Eſtates of Parliament Having conſidered the 321
dangers which Threatens this Kingdom both in reſpect of inteſtine and forraign Enemies, And being informed that many of theſe who have been moſt active in the late Engagement againſt England, are ſtill upon deſigns & attempts to involve this Kingdom in new troubles, withall having certain intelligence of iminent dangers to the cauſe and Covenant and this Kingdom from abroad, And being obliged in diſcharge of the truſt Committed to them to take care of the ſafety of the Kingdom, As they reſolve for themſelves to uſe all lawfull meanes and peaceable wayes to prevent theſe dangers, So they have thought fit to keep up ſuch a number of Forces as may preveen theſe dangers, And for maintaining of the ſamen to prorogate and continue the monethly maintenance for the

moneth of July, laſt bypaſt as the ſamen was impoſed upon the valued Rents of this Kingdom, the moneths imediately preceding February laſt, And therefore ſtatutes and Ordaines that ilk burgh & ſhire within this Kingdom are and ſhall be lyable and obliged in payment of the particular ſummes of mony underwritten for the ſaid moneth of July, and that betwixt and the fifteen day of Auguſt inſtant, and Ordaines the ſamen to be payed to Sir James Stuert of Kirkfield Proweſt of Edinburgh, Theſaurer of the Army & Collector Generall of the ſaid maintenance or his deputies or ſubcollectors, and that the ſumes to be payed by the ſeverall Shires and Burghs for the ſaid moneth of July be as follows, viz. Orknay, of monethly maintenance payes 1143. l. Inuerneſſe 4176. l. Caithneſſe, 945. l. Cromerty 99. l. Sutherland, 423. l. Nairne, 315. l. Elgine 1890. l. Aberdeen, 6543. l. Bamff 1431. l. Kincardin 1566. l. Forfar 5004. l. Pearth 8001. l. Fife 6642. l. Stirling 2538. l. Kinroſe 144. l. Clackmannan 522. l. Edinburgh 4167. l. Linlithgow 1746. l. Haddingtoun 3384. l. Bervick 3555. l. Roxburgh 5778. l. Selkirk 1278. l. Peebles 1638. l. Lanerk 5382. l. Air 6066. l. Wigtoun and Stuartry of Kirkcudbright 4374. l. Drumfries 4446. l. Renfrew 2205. l. Dumbarton 1233. l. Argyle 2907. l. Bute 459. l. Follows the ſumes payable by the Brughs for the ſaid moneth of July conform to their taxt Rolls viz. Edinburgh 5175. l. Perth 810. l. Dundie 1200. l. Aberdeen 1512. l. Stirling 240. l. Linlithgow 324. l. Saint Andrews 780. l. Glaſgow 1530. l. Air 342. l. Hadingtoun 324. l. Dyſert 270. l. Kircaldie 600. l. Montroſſe 324. l. Couper 216. l. Anſtruthereſter 180. l. Drumfries 270. l. Inuerneſſe 450. l. Brichen 120. l. Irving 252. l. Elgine 135. l. Jedbrugh 126. l. Kirkcudbright 80. l. Wigtoun 135. l. Pittinweem 120. l. Dumfermling 162. l. Dumbartan 162. l. Renfrew 90. l. Lanerick 162. l. Aberbrothock 81. l. Bruntiland 216. l. Peebles 108. l. Carraill 216. l. Kinghorne 108. l. Tayne 90. l. Selkirk 126. l. Anſtruthereſter 54. l. Culroſſe 90. l. Dumbar 180. l. Bamff 72. l. Whithorne 45. l. Forfar 27. l. Rotheſſay 60. l. Forres 54. l. Rutherglen 45. l. Northberwick 36. l. Cullan 27. l. Narne 36. l. Lauder 45. l. Inuerkething 90. l. Kilrinnie 27. l. Annand 30. l. Lochmaben 18. l. Sanquhar 27. l. Galloway 9. l. Dingwall 18. l. Queensferrie 108. l. Dornock 10. l. And for the better ingathering and Collecting whereof, The ſaids Eſtates of Parliament allowes to the Collector of maintenance and Clerk of Collection appointed by him the ſame allowance they had formerlie, And ſiclike to all collector deputs and Clerks one or more in each Shire to be nominate by the Committee of war thereof, Betwixt the day of Inſtant, Such fees as the Committees of Shires ſhall allow not exceeding the former allowance, which Collector deputes ſhall find caution to the Generall Collector, wherein if the Committees of war ſhall fail, the Generall Collector after the day foreſaid to appoynt his own ſubcollector in the ſhires, and that the ſaid ſubcollectors ſhall be comptable to the Committees of war of their intromiſſion with all publick dues to be uplifted by them, and how the ſamen are given out and employed without prejudice of their making compt and payment to the Generall Collector of the maintenance due by the ſhires, the Brughs being alwayes free of the ſaids fees, And the ſaids Eſtates ordains that the letters and charges to follow upon this Act for payment of the ſaid moneth of July laſt bypaſt, Shall be raiſed and directed at the inſtance of the ſaid Sir James Stuart againſt the ſub-collectors of Shires, Magiſtrates of Burghs, and at the inſtance of the collectors of Shires and Magiſtrates of Brughs reſpectivè againſt the Sub-collectors of Paroches, heretors, fewers, life-renters and others indebted in payment of their ſeverall proportions of the ſaids moneths maintenance now impoſed, And with power to the ſaid Sir James Stewart that if any Shire or Burgh be deficient in payment of their partes of the ſaid moneth of July, to employ any forces that ſhal happen to be upon the bounds for the time, or in the next neighboring bounds adjacent therto for uplifting of the maintenance of the ſaid moneth of July laſt bypaſt from the deficient ſhires, Burghs and paroches, which troops are to receive their entertainment from the deficients at the ordinary rates beſide the payment of their maintenance, And the ſaids Troops or parties ſhall not be employed to quarter upon the deficients till firſt there be Six dayes warning given to the deficients, or at the pariſh Kirks where there lands lyable for the ſaid maintenance lies, And it is hereby Ordained that the Committees of war in the ſeverall Shires ſhall be aiding and aſſiſting to the ſaid Generall Collector herein for inbringing of the ſaids moneths maintenance, And in regard of the prorogating of the foreſaid maintenance on the ſhires and Burghs for the ſaid moneth of July, It is ſtatute and Ordained by the Eſtates of Parliament that every debtor ſhall have retention from the Creditor of one & an halfe of each hundred for one years annual rent proportionally for the ſaid moneth of July laſt bypaſt, So that the debtor ſhall be lyable in payment of ſix merks 6 s. 8 d. of annual rent of each hundred merks of Stock proportionably according to the ſaid moneth, And in regard of the preſent diſtreſſed condition of the Sheriffdoms of Argyle and Bute, The Eſtates do exeem the whole Sheriffdom of Argyle, from payment of the ſaid moneths maintenance of July laſt bypaſt, Except the lands of Morven, Ardgour, Kingerloch, and the Iles of Mule, Terie, Cole, Icolumkelne, Muk, and Rowm, The maintenance whereof is aſſigned to Hector Macklean of Torloſke for keeping the ſtrength and Gariſon of Barneboil, As alſo exeemes the Sheriffdome of Bute from all payment of the equall half of the ſaid moneths maintenance, And ordaines the ſaid ſhire of Bute to be onely liable in payment of the

other half of the ſaid moneths maintenance, and to be proportionablie payed by the heretors and others lyable in payment thereof through the ſaid whole ſhire of Bute, as alſo the Eſtates declares this preſent Act to be but prejudice of the Act granted in favors of the town of Inuerneſſe of the fift of January 1647. That any taxations or impoſitions to be laid on that Town be allowed to them in part of their loſſes conform to the tenor of the ſaid Act, And laſtly it is Ordained that no ſuſpenſion be granted but upon confignation, and that all heretors within Burghs, pendicles and liberties thereof ſhall contribute with them for payment of the maintenance as is contained in the Act of the 27. of February, 1645. And the Eſtates Ordains that the Lands and Teinds ſhall pay the foreſaid Maintenance as they lie locally in Shires and Burghs, conform to the former Acts of maintenance.

ACT of Maintenance for the moneths of Auguſt, September and October.

322 THE Eſtates of Parliament Having conſidered the dangers which threatneth this Kingdome, both in reſpect of inteſtine and forraigne Enemies; And being informed that many of theſe who have been moſt active in the late Engagement againſt England, are ſtill upon deſignes and attempts to involve this Kingdom in new troubles, withall having certain intelligence of iminent dangers to the Cauſe and Covenant and this Kingdom from abroad, and being obliged in diſcharge of the truſt committed to them To take care of the ſafety of the Kingdom, As they reſolve for themſelves to uſe all lawfull means and peaceable wayes to prevent theſe dangers, So they have thought fit to keep up ſuch a number of forces as may preveen theſe dangers, & for maintaining of the ſame forces, to prorogate & continue the monthly Maintenance for the moneths of Auguſt inſtant, September & October following, to be paid according to the valuations of the reſpective ſhires approven by the Parliament, conform to their Act of the date the 27. of July laſt bypaſt, And appointed to be the rule for payment of the Monethly Maintenance untill new Valuations ſhall be brought in, and compared according to the rules preſcribed by the Parliament: And the ſums to be paid monethly by the ſeverall Shires for the foreſaids three moneths are as follows, viz. The ſheriffdom of Orknay and Zetland of monethly pay 1624. l. 8 s. 3 d. Inuerneſs and Roſs 4136 l. 2 s. Caithnes 724. l. 17 s. 11 d. Cromerty 85 l. 14 s. Sutherland 439 l. 4 s. 5 d. Nairne 413. l. 2 d. Elgine 1610 l. 8 s. 11 d. Aberdeen 5588 l. 7 s. 1 d. Bamff 1669 l. 8 s. 1 d. Kincarden 1339 l. 2 s. Forfar 4749 l. 4 s. 8 d. Perth 6856 l. 8 d. Fyfe 8493 l. 5 s. 6 d. Kinroſs 218 l. 10 s. 8 d. Stirling 2696 l. 1 d. Clakmannan 853 l. 9 s. Lithgow 1976 l. 16 s. 3 d. Edinburgh 5391 l. 12 s. 5 d. Haddingtoun 4904 l. 10 s. 11 d. Berwick 5012 l. 1 s. 1 d. Roxburgh 5702 l. 12 s. 7 d. Selkirk 1430 l. 3 s. 4 d. Peibles 1464 l. 1 s. 6 d. Lanerk 3503 l. 14 s. Air 5195 l. 12 s. 1 d. Dumfreis 4388 l. 18 s. 7 d. Wigtoun and Stewartrie 4142 l. 2 s. 6 d. Renfrew 882 l. 11 s. Argyle 2383 l. 11 s. 9 d. Bute 392 l. 16 s.

FOLLOWS the ſums payable for the ſaids three moneths of Auguſt inſtant, September and October following, by the Burghs, conform to the Taxt Roll, viz. Edinburgh 6480 l. Perth 720 l. Dundie 1260 l. Stirling 198 l. Lithgow 324 l. St. Andrews 600 l. Glaſgow 1170 l. Air 252 l. Hadingtoun 324 l. Dyſert 252 l. Kircaldie 432 l. Cowper 198 l. Montroſs 360 l. Anſtruther eaſter 144 l. Drumfreis 300 l. Inuerneſs 450 l. Bruntiland 198 l. Inuerkeithing 90 l. Kingorne 81 l. Brichene 108 l. Irving 180 l. Jedburgh 162 l. Kirkcudbright 144 l. Wigtoun 126 l. Pittinweyme 120 l. Dumfirmling 153 l. Anſtruther weſter 54 l. Selkirk 120 l. Dumbartan 108 l. Renfrew 72 l. Dumbar 198 l. Lanerick 108 l. Aberbrothock 81 l. Elgine 120 l. Peibles 90 l. Craill 198 l. Taine 90 l. Culroſs 81 l. Bamff 60 l. Whithorne 36 l. Forfar 36 l. Rotheſay 54 l. Nairne 36 l. Forres 54 l. Rutherglen 36 l. Northberwick 36 l. Cullen 27 l. Lauder 63 l. Kilrenny 18 l. Lochmaben 18 l. Galloway 9 l. Dingwell 18 l. Queensferrie 81 l. Dornoch 27 l. For the better in-bringing and collecting whereof, The ſaids Eſtates of Parliament doth allow to the Collector of the Maintenance & Clerk of Collection appointed by him the ſame allowance they had formerly: And ſiclike to all collector deputs and Clerks one or more in each Shire to be nominate by the Committee of war thereof, Betwixt the day of Inſtant, with ſuch fees as the Committees of war in the ſeveral Shires ſhall allow, not exceeding the former allowance, which Collector deputes ſhall finde ſufficient caution to the General Collector, wherein if the Committees of war ſhall fail, the Gen. Collector after the day foreſaid to appoynt his own ſubcollector in thoſe ſhires who ſhall fail to nominate & finde ſurety betwixt and the foreſaid day; And that the ſaid ſubcollectors be comptable to the Committees of war of their intromiſſion with all publick dues to be uplifted by them, and how the ſamen are given out and employed, without prejudice of their making compt and payment to the Generall Collector of the maintenance due by the ſhires, the Brughs being always free of the foreſaids fees, And the ſaids Eſtates Ordains that the letters and charges to follow upon this Act for payment of the foreſaid three moneths Maintenance, Shall be raiſed and direct at the inſtance of the ſaid Sir James Stuart againſt the ſub-collectors of Shires, Magiſtrates of Burghs, & at the inſtance of the collectors of Shires and Magiſtrates of Brughs reſpectivè againſt the Sub-collectors of Paroches, heretors, fewers, life-renters and others indebted in payment of their ſeverall proportions of the three moneths maintenance now impoſed, And with

power to the ſaid Sir James Stewart, that if any Shire or Burgh be deficient in payment of their parts of the foreſaid three moneths Maintenance, to employ any forces that ſhall happen to be upon the bounds for the time, or in the next neighbouring bounds adjacent thereto for uplifting of the ſaid three moneths Maintenance from the deficient ſhires, Burghs and paroches, which troops are to receive their entertainment from the deficients at the ordinary rates, beſide the payment of their maintenance, And the ſaids Troops or parties ſhall not be imployed to quarter upon the deficients, till firſt their be ſix dayes warning given to the deficients, or at the pariſh Kirks where their lands lyable for the ſaid mantenance lyes: And it is hereby Ordained that the Committees of warre of the ſeverall ſhyres, ſhall be aiding and aſſiſting to the ſaid Generall Collector herein for in bringing of the ſaid three moneths maintenance. And laſtly it is Ordained that no ſuſpenſion bee granted without conſignation: And that all Heretors within Brughes, pendicles and liberties thereof, ſhall contribute with them for payment of the maintenance, as is contained in the Act the 27 of February, 1645 yeares. And the ſaids Eſtates Ordaines, that the lands and teinds ſhall pay the foreſaid maintenance, as they lye locally in Shires and Burghes, conforme to the former acts of maintenance. And it is hereby declared, that this Act is to be without prejudice of the Lords of Seſſion, conforme to the former Acts of maintenance.

ACT for continuing the dyet of the report for purging of the Armie.

323 THE Eſtates of Parliament conſidering that in regard of the long ſitting of the Parliament, the report of the diligence from the ſeverall Shires anent the purging of the Armie, cannot be brought in to the Committee of Eſtates at the day appointed. Therefore they have continued and doe continue the dyet of the foreſaid report for the Shires on this ſide of Tay, till the firſt of October; and on the other ſide of Tay, till the fifteenth day of October; and Ordaines the Commiſſioners of the ſeverall Shyres reſpectivè to bring their report to the Committee of Eſtates betwixt and the foreſaid dayes, under the paines contained in the foreſaid Act made for purging of the Armie.

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324 ACT diſpenſing with the not Production of an band granted by the late Marquis of Huntlie to the Hoſpitall of Aberdeen, debito tempore, conform to the Act of Parliament.

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325 ACT in favours of the Lairds of Glenurquhy and Achinbreck.

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ACT in favours of the Laird of Lawers. 326

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REMIT to the Committee of Eſtates anent the victuall to be advanced by Sir William Dick, Sir John Smith, and others. 327

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ADDITION to the Committee of valuations in mid Lothian and Lanerk ſhires. 328

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ACT in favours of Coll. John Innes. 329

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ACT in favours of Helen Erskine. 330

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ACT in favours of Mr. Rodger Mowat. 331

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ACT in favours of George Forbes of Allathane. 332

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ACT in favours of Robert Ker of Dalcove. 333

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ACT in favours of John Stewart of Coldingham. 334

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ACT in favours of Sir James Hope of Hoptoun. 335

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ACT in favours of James Campbell of Claghlie. 336

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ACT in favours of the Iriſh Officers. 337

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COMMISSION to Captain Robert Hall, and the Frigot of Greinock. 338

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ACT in favours of James Fraſer. 339

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[SUPPLICATION of the Cōmiſſrs of Caithnes and Roſſe

VNTO the honor^ble and high courte of parliament The Repreſentatioune of the Cōmiſſiouneris of the ſchires of Caithnes and Roſs

Humblie Sheweth

THAT according to our truſt and the ordo^r of parliament at our returneing to o^r ſeverall ſchires wee vrged obedience to the parliament anent the

giveing aſsureance for preſerva°un of the peace of the kingdome Notwithſtanding the perſones following within the ſ^re^fdome of Ros viz Mr Thomas m^c^kenzie of Inuerlawell Thomas roß of preiſthill duncane bayne of logie Coline m^c^kenzie of kincraig alexr forreſter of Cullinald Walter roß of ballamuckie and James m^c^culloche of and als the perſones lykwayes following within the ſ^re^fdome of Caithnes viz hector monro of Cokill Wm Innes of boltoune Johne ſinclair of Tannachie and Walter Innes of Refuiſed to give obedience to the ſaid ordour of parliament and wald not give aſsureance for preſerveing of the peace of the kingdome THAIRFORE it is the humble deſyre of the ſaidis Comiſsioneris That ſuch courſe may be taiken with the abonenamed perſones for ꝑ diſſobedience as may witnes yor honor^e^ diſlyke ꝑof and be ane terror to vtheris to comitt the lyk in tyme cumeing for if ꝑ puniſhment be not exemplarie It will be a readie way to harden thame and vꝑ^e^ to continew in the lyk courſes of rebelliounе and diſſobedience

Edr ꝑe 30 Junij 1649

The cōmittie of parliament appoyntit for Bille Ordaines ane meaßr or meſſinger of armes To wairne the perſones abone complenit vpoun To compeir befoir the parliament cōmittie foirde or cōmittie of eſtaitte the ffourt day of Julij inſtant with contiuwa°ne of dayes To anſr to the ſupplica°ne abonewrin vnder the paine of horneing with certifica°ne &c And ordaines the pairties to be cited to gett ane coppie of this ſupplica°ne And delyverance ꝑof

Mr J Hay. I. P. C.

6. Auguſt 1649

Red in parliat and remitted to the Committie of Eſtaitts

LOUDOUN. Can^tr^ius
I P D P.]

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VII AUGUSTI.

COMMISSION for the Committee of Eſtates.

340 THE Eſtates of Parliament now preſently conveened in this third Seſſion of this ſecond trienniall Parliament: Being upon good reaſon to diſſolve for this preſent Seſſion of Parliament, and to continue the ſame to ane new dyet; and conſidering how neceſſary it is (for the good of Religion, King and Kingdomes, for preventing and remedying of all evils and dangers that may befall to any of thoſe from inteſtine Commotions or forraign invaſions, for preſerving the peace of the Kingdome, and Union betwixt both: And for doing, acting and ordering all things relating either to peace or warre agreeable to the Covenant and ends thereof,) that a grand Committee be nominated and appointed by them of able and well affected perſons; Do therefore nominate, elect and make choiſe of the perſons following, viz. For the Noblemen, Archibald Marquis of Argyle, John Earle of Sutherland, Alexander Earle of Eglintoun, John Earle of Caſsills, Francis Earle of Buccleugh, William Earle of Louthian, Earle of Levin, Patrick Earle of Panmure, John Earle of Tweddale, Robert Vicount of Arbuthnet, Archbald Lord Angus, David Lord Elcho, George Lord Brechin, Allan Lord Cathcart, William Lord Roſſe, John Lord Borthwick, John Lord Balmerino, Robert Lord Burghlie, James Lord Cowper, George Lord Forreſter, Lord Kirkcudbright, Alexr Lord Balcarras, Andrew Lord Fraſer, and William maſter of Forbes; And for the Barons, Arthur Erskine of Scotſcraige, Sir James Hackat of Pitfirren, George Dundas of Dudingſtoun, Maſter John Dikſon of Buſby, Sir James Hope of Sir David Home of Wedderburne Knight, John Swinton younger of that ilk, Sir Charles Erskine of Cambuſkenneth, Sir William Cunninghame of Cuninghamheid, Sir Hew Campbell of Ceſnock Knight, Sir Andrew Ker of Greinhead, Sir Thomas Ruthven of Freeland, Sir Robert Adair of Kinhilt, Andrew Agnew fiar of Lochnaw, Sir George Maxwell of Nether Pollock, John Dickſon of Hartrie, Sir John Browne of Fordell, Arthur Forbes of Eight, Maſter William Sandilands of Hilderſtone, John Cockburne of Ormeſton, Sir John Hope of Craighall Knight, Sir Alexander Belſhes of Toſts Knight, John Shaw of Grenock, Sir Lodowick Houſtoun of that ilk Knight, Sir William Scot of Clarkingtoun knight, and Colonel Walter Scot of Hartwoodburne. To the which forenamed Barones, The ſaids Eſtates do adde the particular perſons following, to be alſo upon the Committee of Eſtates, viz. Sir Daniel Carmichaell of Hyndfurd Treaſurer Depute, Maſter Thomas Nicolſon his Majeſties Advocate, Sr John Wauchope of Niddrie Robert Hepburne of Keith Sr Alexr Inglis of Inglistoun John Hepburne of Wauchton Arnot of fernie Moncreif of that Ilk Sir James Fraſer of Bray, Sr John Sinclair of Dumbeath Robert Monro of Obſtaill Sir Lewis Gordoun of Gordounſtoun, Sr Thomas Ker of Cavers William Ker of Newtoun And for the Burghs, James Borthuik for Edinburgh, Patrick Roſſe for Perth, Robert Davidſon for Dundie, George Porterfield for Glaſgow, James Sword for St. Andrews, Thomas Bruce for Stirling, James Campbell for Linlithgow, Hugh Kennedy for Air, Mr. Robert Barclay for Irving, Mr. James Campbell for Dumbartan, Gideon Jack for Lanerk, Mr. John Hay for Elgine, Thomas Macbirnie for Dumfreis, John Forbes for Inuerneſs, William Simſon for Dyſert, George Gairden for Bruntiland, John Boſwall for Kinghorne, Mr. Alexander Dowglaſs for Bamff, George Jameſone for Cowpar, and James Macculloche for Whithorne, Sir William Dick of Braid

Knight, Sir John Smith of Grottell Knight, Robert Lockhart Merchant, Burgeſs of Edinburgh, John Short Burgeſſe of Stirling, Mr. William More Burgeſse of Aberdeen, and James Rochhead Baily of Edinburgh: Likeas the ſaids Eſtates of parliament alſo addes as ſupernumeraries to the forenamed perſons of the Committee of Eſtates the perſons following, John Earl of Loudoun high Chancellour of this Realm, The generall Officers, Sir Archibald Johnſtoun of Warieſtoun Knight Clerk of Regiſter, Sir James Stewart of Kirkfield Generall Commiſſary, Sr John Cheislie of Kerſwell Alex^r^ Brodie of that Ilk Mr George Wynrahame of Libbertoun William Glendoning Proveſt of Kirkcudbright and Alex^r^ Jaffray Baillie of Aberdene To whom or any nine of them the ſaids Eſtates of Parliament gives and grants the ſame power, Warrant and Commiſſion to meet and conveen at ſuch times and places as they ſhall think fit; And gives and grants to them the whole power and Authority to take ſuch courſe and reſolutions and to give orders and directions in diſcharge of the great truſt committed to them, during the not ſitting of Parliament, as was formerly given to the ſaid Committee of Eſtates in the moneth of March laſt by-paſt 1649. yeares and in the whole particulars therein mentioned, admitting the generality hereof to be as ſufficient as if every particular contained in the ſaid former Commiſsion were herein word by word expreſſed: And farther the ſaids Eſtates of Parliament gives and grants full power and Warrant to the foreſaid Committee being frequently conveened To proportion the Maintenance after the firſt of November next, According to the new Valuations that ſhall come in betwixt and that time: And the ſaids Eſtates of Parliament, Do hereby diſcharge all former Commiſsions to any Committee of Eſtates; And appointeth this preſent Commiſsion to endure to the next Seſsion of Parliament, and ay and while the ſame be ſimpliciter diſcharged.

ACT continuing all Commiſsions granted by the laſt Parliament.

341 THE Eſtates of Parliament conſidering how neceſſary it is for the good of this Kingdom That all Commiſsioners appointed by the laſt Parliament ſhould meet and Act according to the power given to them by vertue of their Commiſsions; Therefore they have continued, and hereby do continue the ſame Commiſsions appointed by the laſt Parliament to the ſame perſons reſpectivè contained therein; And Ordains the Quorum of all the ſaids Commiſsioners in their ſeverall Commiſsions to be promiſcuous; And Appoints three of the Commiſsioners of the Treaſury, and three of the Commiſsioners of Exchequer, to be a Quorum, To Act and do conform to the Commiſsion granted to them.

ACT for reducing the annuals to fix for the hundred.

342 THE Eſtates of Parliament having taken the report given in concerning Maſter Lampſones buſineſſe to conſideration, and in particular that part thereof appointing the annuals to be reduced to fix for the hundred conſtantly in all time coming, Do therefore Ordain the annuals of the money to be reduced, and by theſe preſents reduces the ſame to fix for the hundred in time coming without alteration, from the firſt of this inſtant; And declares the ſaid fix for the hundred to be free in all time coming of all Retention and publick burdens: And the ſaids Eſtates appoints thirteen thouſand pound Stirling as a part of the ſums due to Maſter Lampſones to be laid upon the Maintenance of the whole Kingdom Burgh and Land, according to the rule of Maintenance, by adding to the Maintenance eleven hundred pound Stirling monethly for twelve moneths after the firſt of this inſtant Auguſt without any deduction for Quarterings, or any other cauſe whatſomever, and refers to the Committee of Eſtates to proportion the foreſaid ſum to be payed by the Shires and Burghs monethly, according to the Maintenance.

ACT Salvo jure cujuſlibet.

343 THE Eſtates of Parliament now preſently conveened in this third Seſsion of the ſecond Triennall Parliament, conſidering that in this preſent Seſsion of Parliament, there are ſome particular Acts, and Acts of Ratification made in favours of particular perſons, which may be prejudiciall to the parties having intereſt and not heard; Albeit the meaning of the Eſtates [be] at this time, as it was ever in all preceding Parliaments, That by no particular Act, or Act of Ratification granted to any particular perſon, any other party ſhould be hurt or prejudged of their lawfull rights and defences, competent to them of the Law, For remedy whereof, it is Statute and Ordained, That no Ratification or other particular Act whatſomever, made in favours of any particular perſon in this preſent Seſsion of Parliament, be prejudiciall to any other parties rights or defences, competent to them of the Law, but the ſaids particular Acts, and Acts of Ratification, as made in favours of particular parties, be always underſtood, Salvo jure cujuſlibet.

ACT continuing the Parliament unto the firſt Thurſday of March 1650. years.

344 THE Eſtates of Parliament now preſently conveened in this third Seſsion of the ſecond Triennall Parliament, continues this preſent Parliament, and all matters belonging thereto, which are not committed or remitted reſpectivè to the Committee of

Eſtates of Parliament, or to other Commiſsioners of Parliament, or to the Lords of Seſsion, while the firſt Thurſday of March 1650 years, at the which day Ordains the whole Eſtates to be preſent to attend at Edinburgh, or where it ſhall happen the Committee of Eſtates foreſaid, or quorum thereof to appoint, And Ordains the whole Acts and Statutes made and concluded in this Seſsion of Parliament, To ſtand and have the force and ſtrength of Acts of Parliament, conform to the tenours thereof: Siclike as any Acts and Statutes of any preceding Parliaments in any time by-gone.

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345 ACT and Warrant for tryall of the torture of Witches.

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346 ACT in favours of the well affected Officers fled out of Ireland.

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347 ACT appointing Mr. George Wihrame of Libbertoun one of the Senators of the Colledge of Juſtice to repaire to the Kings Matie [with Letters and Instructions to be given him vpon the grounds of the former deſyres tendered to his Matie be þ^r Commiſsioners at the Hague And referring the drawing of the ſaid Letters and Instructions to the Com̃^te of Estates, And appointing the ſaid Letter to be ſigned be the Lord Chancellor in the name and behalff of the Parliament And to beare date the 7th of August]

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[DRAUGHT of the Letter to be ſent to his Matie to be ſigned and dated as aforſaid, (as resolved vpon be the Committee of Estates in pursuance of the above Order; September 12, 1649.)

May it please your Matie

IF the Estates of Parliament of this your Ma / most ancient Kingdome had considered the power and prevalencie of your Ma / enemies, your Ma / present condition, and the difficulties and dangers that may attend ane agreement with your Matie in ſuch a posture of affaires; they might have beene ſilent vpon the recept of ſo vnſatiffactorie an anſwere to there humble and earnest deſyres, and waited for the expresse promiſed by your Matie in your last anſwere to there Comm̃^rs: But beeing verie deſyrous to witnesse there tender respect to your Matie and becauſe they wald not bee wanting in anie thing q^ch might evidence the ſinceritie and conſtancie of þ^r affection, and begett a right vnderstanding betuix your Matie and your faithfull and loyall Subjects of this Kingdome, they have resolved vpon this new addresse, there beeing no earthlie thing more in there deſyres then that your Ma / may rule over them, and that your throne may bee established in religion and righteouſnes

WEE doubt not but your Matie hes ſeriouſlie considered your preſent Estate, and weighed the dangers, that do, and may further aryſe from delay in reſolution; yet wee crave leave humblie to represent, that it is matter of much trouble, and ſadnes for ws to thinke, that your Matie ſhould live amongst Strangers; and (relying vpon the vncertaine ayde of forreigners) ſtand at ſuch a diſtance, with your well affected Subjects, who against all difficulties and Impediments are most willing to Intereſt themſelfes in your Ma / affaires according to the Covenant; And wee can not but acquaint your Matie that it is vnto ws matter of admiration, that your Ma / ſhould all this tyme forbeare to declare your Intentions and reſolutions, whilſt your adversaries (the Murtherers of your Royall father and our Native King) are verie active and Industrious both at home and abroad, and leave no meanes vneſsayed which may either gaine reputation to themſelffes, or leſsen your Ma / estimation with your People.

AS wee are much greived to conſider the manie great Inconveniences q^ch accompanie your Ma / Irresolution, So are wee much more afflicted to thinke of the ſad effects that may enſew, Incaice your Matie ſhould bee induced to beleive that it can bee ſafe for your Matie to trust your Perſone or affaires to the Papists in Ireland, who for þ^r enimitie to the reformed Religion and cruell murther of manie thouſand Protestants in that Kingdome, are long ſince become detestable to all your Ma / Subjects, who either feare God, honour your Matie / or wish weell to the Peace of theſe Kingdomes.

WEE do therefore most humblie begg and earnestlie beſeech that your Ma / wald in your Princelie wiſedome ſeaſonablie lay to heart your owne Estate, the long continued distraction of your Kingdomes, and the equitie of our humble deſyres presented vnto your Ma / by our Commiſsioners; which, if your Ma / ſhall bee graciouſlie pleased to grant (and aboue all if your Matie ſhall cordiallie enter into the ſolemne League and Covenant) is the onlie way to procure the Lords blessing on all your vndertakings, and the heartie concurrence of your well affected Subjects in all your Kingdomes, for restoring your Ma / to your Just power and Authoritie; And for our pairts wee dare confidentlie ſay in his ſight, who is the ſearcher of hearts, that your Ma / may therevpon aſsuredlie expect from this Kingdome all the Teſtimonies of affection and fidelitie according to our Covenant, that dutifull and Loyall Subjects are capable of for restoring

your Ma / to the poſſeſsioun of the Governement of your other Kingdomes.

IF in order to theſe ends your Ma / ſhall bee pleaſed to acknowledge the present Parliament of this Kingdome, particularlie the two last Sessions þof in this yeare. 1649. and the Committee haveing authoritie from them in the Intervall of Parliament, Wee are reſolved to mak a ſolemne addreſse vnto your Matie for a full agreement vpon the grounds conteinit in the former deſyres of Your Ma / most Humble most loyall and most obedient Subjects, Signed in name and by command of the Parliament of your Ma / Kingdome of Scotland, Sic ſignatur Loudoun Canſtrius, Daited, Edinb. the 7th. August 1649.

LETTER from the Committee of Estates to the Kings Majestie

May it please your Matie

WEE have ſent this honorable Gentleman Mr Wynrahame of Libbertoun one of the Lords of Seſsion to present a Letter expressing the humble and earnest deſyres of this Kingdome to your Ma / And wee most humblie Intreat that your Matie will bee pleased to give credite to what hee is further Intrusted to represent in the name of Your Ma / most humble most loyall and moſt obedient Subjects. Signed in name and by command of the Comte of Estates of the Parliament of Scotland Sic ſignatur Loudoun Canſtrius Dated Edinb. the 12th of September 1649.

INSTRUCTIONS to the Lord Libbertoun

1. YOW are to repaire to the Kings Matie and delyver the Letter from the Parliament

2. YOW are to vſe your vtmost Indeavoures to gett a ſatiſfactorie anſwere from his Matie to our former deſyres.

3. IF the King ſhall bee pleased to acknowledge the present Parliament and particularlie the two last Sessions þof, and the Committee haveing authoritie from them in the Intervall of Parliament and ſhall ſignifie the ſame vnder his hand, yow are to ſend the ſame hither that a ſolemne Addresse may bee ſpeedilie ſent to his Matie / And if his Ma / ſhall be pleased without further delay to grant the former deſyres of this Kingdome in the manner þin expressed then yow ſhall with all possible haste returne with the ſame, that vpon the receiving of the ſaid ſatiſfaction, Persones of greater eminencie may bee ſent with all expedition to Invite his Matie and waite vpon him to this Kingdome.

4. YOW ſhall ſhow his Matie, that there can be nothing more prejudiciall to his Maties ſervice, nor more greivous to this Kingdome, then his granting Commissions to, or putting anie trust or Imployment vpon James Grahame who is excommunicated by the Church and declared a Traytor be the Parliament.

YOW are to give constant Intelligence from tyme to tyme of your negotiation and the State of affaires, Sic ſubſcribitur Loudoun Canſtrius I. P. D. Com.]

. . . . . .

ADDITION of an 100l. to the Act of Localitie for payment of Colonell Pitſcotties Regiment. 348

. . . . . .

REMIT to the Exchequer concerning moneys, and Bullion. 349

. . . . . .

REMIT anent the Earles of Crawford, Lothian, and Sir William Dick. 350

. . . . . .

ACT in favours of Stirling and Clakmannan Shires. 351

. . . . . .

ACT for the three Committees of War of Perth ſhire, to meet together once in the twenty dayes at Perth. 352

. . . . . .

ADDITION to the Committee of Eſtates. 353

. . . . . .

ACT appointing the Commiſsion for plantation of Kirks to ſit down upon the firſt of November next. 354

. . . . . .

ACT for adding of John Dickſon of Hartrie to the Commiſſion for Plantation of Kirks. 355

. . . . . .

ACT and nomination of John Dickſon of Hartrie to be one of the Senators of the Colledge of Juſtice. 356

. . . . . .

ACT in favours of Sir John Cheiſly of Karſwell Knight. 357

. . . . . .

ACT in favours of Maſters Adrian and Cornelius Lampſines reſidents in Midlebrugh and Fluſhing. 358

. . . . . .

359 ACT and Inſtrument taken by Arthur Erskine of Scotſcraig upon the deliverie of the Honours.

. . . . . .

360 ACT in favours of Maſter David Hay of Woodcockdail, one of the Clerks of Seſsion.

. . . . . .

361 ACT in favours of Alexander Ogilvie.

. . . . . .

362 ACT diſcharging the Committee of Eſtates to give exemptiones of Levies or Maintenance.

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363 ACT and addition to the Committee of War of Eaſt Lothian.

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364 ACT and nomination of the Committee of Inuerneſs ſhire.

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365 ACT and Commiſsion to the Committee of Moneys and Exciſe.

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366 RATIFICATION to Sir John Scot of Scotſtarvet Knight, one of the Senatours of the Colledge of Juſtice of his infeftment of the Iſle of Inchkeith.

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367 RATIFICATION in favours of Major Andrew Abernethie of his gift of the Commiſſar of Lauder.

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368 RATIFICATION in favours of Maſter Thomas Nicolſon his Majeſties Advocate, of his Act of admiſsion and penſion granted to him.

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369 RATIFICATION of the decreet of forefaulture againſt Murdoch Macklean of Lochbouie, Duncan Stewart younger of Appin, Alexander Stewart of Inuermackhebell, and Hector Macklean of Kingerloch.

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370 RATIFICATION in favours of Maſter John and Maſter David Hays of their gift granted to them by the Lord Clerk-Regiſter of their places and offices, as Clerks to the Seſsion and Parliament.

371 RATIFICATION to James Wright of his gift granted to him of the Clerkſhip of the Commiſſary of Lauder, by Andrew Abernethie Commiſſar there.

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372 RATIFICATION in favours of Maſter James Scot of his gift granted to him by the Lord Clerk-Regiſter, as one of the Clerks of Seſsion and Parliament.

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373 RATIFICATION in favours of Maſter James Balfoure of his gift granted to him by the Lord Clerk-Regiſter, as one of the Clerks of Seſsion and Parliament.

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374 RATIFICATION of the Act and report of the viſitors made in favours of Sir James Hope of Hoptoun, one of the Senatours of the Colledge of Juſtice, anent the mending of the high wayes betwixt the Leadhill and Leith.

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375 RATIFICATION of the gift granted by the Lord Clerk-Regiſter in favours of Maſter John Kinneir of his place and office, as Clerk to the Bills.

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376 RATIFICATION in favours of Andrew and Maſter John Hays, of their Rights and Infeftments, of the lands and Barronie of Hayſtoun, Crocekirklands and others therein contained.

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377 RATIFICATION to S[r] Daniel Carmichael Lord Theſaurer Depute of his gift, and penſion aſsigned to him by Sir James Carmichael his Father.

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378 RATIFICATION in favours of Andrew Agnew of Lochnaw of the Sheriffhip of Wigtoun.

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379 RATIFICATION in favours of Sir Archbald Johnſtoun of Warieſtoun, Clerk of Regiſter, of his gift of Clerk of Regiſter.

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[SUPPLICATION of Sir James Fraser to þe honoñ & highe court off parliament

Sheweth

THAT q^r as yor Lo^s did giwe warrande to cite Liwt. Laurens Dundas to compeir befoir yor Lo^s. or cõmittie off Estaitt for the alledgit wrongs & Insolencies ꝑmittit be him againſt þe L. Louat & his tenendrj & ſeeing yor Lo^s did recomend the ſamẽ to þe Cõmittie off Billt q^a hawe maid no report þ^roff by reaſone þ^t yor Lo^s did ordaine all priwat billt & reportt to be remittit to þe Cõmittie off Estaits Thairfoir it is humblie deſyrit þ^t yor Lo^s will grant Cõmiſſione to þe Laird off Brodye Sir robert Gordone & ȝowng Struye q^a ar known to be honeſt men w^t a power to Cite witneſſ^is befoir þ^m ſeeing the bringing off þe buſſines befoir yor Lo^s will both take wp much off yor pretious tyme, & make me to ſtay heir much to my prejudices q^a hawe ſtayt heir alredy the ſpace off ſex Mounthe wþ^rwyes þ^t yor Lo^s appoint tuo or three off yor number to take inſpectione off þe proces ſeeing all þ^t both off us cã ſay is in ſcriptis, As alſo ſeeing the Lord Louat & his frindt in þe laſt leuj did put out fourtie horſſ q^ch hes much increaſit þ^r burden & diſablit þ^m in þ^r eſtaitt IT is humblie now crawit þ^t the L. Louat & his frindt ſalbe free off this enſewing leuj ſeeing yor Lo^s may conceawe þ^r proportiõ far to hawe exceidit þ^r rentt Excepting alwayes theff frõ this fawor q^a was acceſſary to þe lait inſurrectione in þe Northe · this exemptione is litill in reſpect off q^t they hawe payt bezond þ^r proportiõe and the lyk favor is granted to oþ^rt q^a hawe deſeruit well bot no^t bettir then they in reguard off publict affectione or ſuffering And w^tall ſeeing þe parl. hes recomendit my regiment accomtt to be adjuſtit be the cõmittie off Moneys I humblje beſeik yor Lo^s to ordaine ſome off yor Number for this effect ſeeing þe cleiring þ^roff is my onlie ſtay in towne q^a ame much neceſſitat to repair home And yor Lo. gratious anſ^r I expect

Ed^r 7. Auguſt 1649

The Eſtaitts of parlia^t Remittes and recommends the petition abovew^ttin to the Committie of Eſtaittt w^t pouer to them to determine þ^rin

A JHONSTON Cl^s Reg̃rj]

. . . . . .

[SUPPLICATION of Johne ſempill of Staniflett

TO þe honoble eſtaites of þliamẽt The humbill ſupplica^un of Jo^n ſempill of ſtaniflett lait keiper of þe Caſtell of Dumbartane

Schewethe

THAT I ly vnder grit burdein of debt & ſũmes of money contracted & depſit be me for the proviſioun & pay of þe Guariſon of þe ſd Caſtell & keiping of priſoneris, As appeiris be my accomptes, q^rby thair is dew to me be þe publict The ſũm of Threttein thouſand nyne hundrethe fourſcore ſex pund nyne ſchillings money of þis realm (beſyde preceptis that I haue accepted & Compted for, q^rof I haue gottin no paymẽt) Q^rby and be þe burning of my landes be þe rebell alleſter M^cdonald in anno 1645. (wch is ȝet vnprofitabill to me) becaus I wald not trait wth him for randring þe ſd Caſtell, and be ane lairge treinche Caſtin throw my beſt Croft of land in Dumbartan I wes forcit to ſell þe maiſt & beſt pairt of my landes far w^thin þe worthe to releife ſum of my cationaris, and þe ſmall reſt of my lands is ſo far exhauſtit wth q^rtering, outreik of hors & foott, & paymẽt of mantenance, that I am brocht to a verie low Conditioun, having no meinis to ſuſtain my ſelf & my familie muche les to pay my debt vndertain for þe publict, ſo I am vtterlie ruyned, and all for my fidelitie & forwardnes In þe publict ſervice; without yor honouris out of Conſcience, & reſpect to yor Covenant, hono^r & Juſtice provyde ſum ſpedie & effectuall Cours for my releif & ſubſiſtance, now eftir tuo yeiris & a half that I haue lyin at þe poole and culd not be hard

HEIRFORE I humblie beſeche yor hono^rs To tak my diſtreſſit eſtait & grit ſufferings to your ſerious Conſideratioun, and firſt to heir & approve þe report of my accomptis, nixt (q^ll-it pleis god to mak your hono^rs moir able to pay publict debtes) that ȝee will be pleiſit to aſſigne to me þe haill fyinis & borrowit moneyis of all ſuche perſounes as wer deſignit for me be þe cõmitteis of eſtaitis & moneyis tuo ȝeiris ſince & moir Givin up in roll be me at þ^t tyme, and citit vpon my grit Charges, tuyis, or thryis as I ſall Inſtruct, and wer born by be moyen of grit men than in place & power, As alſo affigne to me the fynes & borrowit moneyis of ſuche other perſounes as I haue pitchit vpon and givin in roll to yor Clark of þe Cõmitte of moneyis in marche laſt as they will teſtifie, and yor hono^rs anſ^r

Apud Edinburg 7°. Auguſt 1649

The Eſtaittt of Parlia^t Remittt and recommends the ſupplication abovew^ttin to the Committie of Eſtaittt w^t pouer to them to determine therin

A JHONSTON Cl^s Reg̃rj]

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[SUPPLICATION of John Gilchrist.

WNTO the hono^ble and heigh Court of parliã^t The humble peti^oun of Johne gilchreiſt

Scheweth

THAT q^r I being ane reſidentar within the kingdome of Ireland And having loſt my wholl meanes and eſtaitt throughe the rebelliõ þair wes forced to ſerve as ane ſouldier in the expeditione into Eng-

land in ãno 1643 And being at Newcaſtell the tyme of the intaking of the ſaid toune I receavit ane deadlie wound with ane muſcat ball in at the on ſyd and out at the other ſo that the excrementes of my body did come out at the ſame And hes bein theſe four ȝeires bygain and as yitt am ſtill vnder the chirurgiones hands q^by I haue ſpent all that I haid in the cure of my ſaid wound but can find non, without ſeiking anie helpe of the publict albeit I haue ane wyff and thrie ſmall childrein quhais caice is alſe lamentable as my awen be reſſone that I am lamed So that I am not able nap^r to cair for her nor myſelff As ane ſub^t teſtificat vnder the hands of the miniſter and rewling elders of the paroche of Kirkmahoe heirw^t produced will teſtifie Heirfor I beſeech yor / ll / for gods cauſe to tak me my wyff and ſmall childreins lamentable condi^oun into yor ſerious conſidera^oun And to giue ordo^r to the gñall Comiſſarie to giue me ſo much for my preſent ſubſiſtence as yor / ll / ſall think fitt And yor lo / gracious anſ^r I humblie beſeeche

Edinbur^t 14 Julij 1649

The Comittie of Billes Heaveing hard and Conſidderit the ſupplicatioune of Johne gilchryſt withinw^ttin ſhawing that he haveing bene ane ſoger in Irland loiſt all he had thair and thairefter being ane ſoger at Newcaſtle wes deidlie woundit thair whairof By all appeireance, he will never be cured, It being in ſuch a pairt of his bodie, that he is altogidder diſſablit, ffrom doeing anie thing for his awne manteinance The Comittie foirſaid, haveing ſeine tua teſtificattes, teſtifieing the ſupplicantes conditione and Cariadge to have beine as is abovew^ttin and haveing ſeine the ſupplicant wha is in ane vearie hard and miſerable conditione, by reaſone of his woundes foirſ^diis, In regaird q^rof and of the teſtificattes foirſ^dis, ſubſcryvit by the miniſters and elders of tua parochines whair he leived, It is the humble opinione of the Comittie, that the ſowme of tua hundrethe merkes be modiefiet and payit to the ſupplicant for his manteinance, And to pay for cureing of his woundes And that the parliament grant precept for that effect, that the ſamen may be maid effectuall for the ſupplicantes p̃t neceſſitie and conditione he is in

M^r J Hay. I. P. Com.

Ed^r 7. Auguſt 1649

The Eſtaitt^ of parlia^t Recommends ſeriouſlie the report abovew^ttin to the Committie of Eſtaitt^ To find out ane effectuall and ſpeidie way to pay the ſoume of 200 M. to the ſupplicant And for that effect to recommend him to the Committie of Moneyis or vtherwayis as they ſhall think fitt

A JHONSTON Cls Reg̃rj]

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[SUPPLICATION of Alexander Mackenzie of Coulcoy and of Coline Mackenzie his son

WNTO the right honorable the eſtates of parliament The humble ſupplicatione of maſter alexander mackenzie of Coulcoy and Coline mackenzie his ſonne

Sheweth

THAT wheras by the lait inſurrectione in the ſhyre of Inuerneß they hawe noturlie ſuffered in the depredatione of ther goods and deſtroying of ther meanes be reaſone of ther outſtanding againſt vthers of ther ſurname and frendes in the ſaid inſurrectione againſt the church and ſtate of this kingdome, and ſicklyk it is noturly knowin of the great charges and expenſſes they haiv bein at in quartering and manteining of the countrey forces wpon ther landes layand nixt adjacent to the caſtell of brahane redcaſtell & vther garifone houſes as may be knowin by the teſtificat of Colonel Gilbert Ker. And now ſeing the ſupplicants ar giwin to wnderſtand that not only the quartering of troupes ar ȝet to endure wpon them in the ſaid ſhyre of Inuerneß as formerly bot alſo that the leich cowntrey of the ſaid ſhyre is to bear the quartering of the yles and hylandes within the ſaid ſhyre quherthrow it will neceſſarly follow the ſupplicants burthen to become ſo heawie that they and ther tennendrie will be diſſabled from laburing or keeping ther houſes any longer wnleß yor lordſhippes be gratiuſly pleaſed ſo faworably to look wpon them as ſuch who by ther good cariage hath deſerwed the reward of well deſerwing ſubjects. In conſideration quheroff the ſupplicants humble petitione to yor lordſhippes is that yor lo / will be pleaſed by yor lordſhippes delywerance wpon this ther ſupplicatione to ordaine them ane act in ther fawors for themſelwes and ther tennent^ bearing them ſicklyk immunitie of quarterings and vthers publict exactions as by yor lordſhippes act ſhall be conceawed and granted in fawors of the weill deſerwing ſubjects within the ſhyres of Inuerneß and roß. The quhich fawor the ſupplicants humbly crawes and yor lo / weilfaire prayed for be yor lo / humble ſupplicants.

Ed^r 7 July 1649

The Cõmittie of bills having hard and conſiderit þe ſupplica^oun of Mr Alex^r and Colin m^ckenzies Schowing þe great ſkaithe and loſß they hawe ſuſtanit by þe enemies of this kirk and kingdome and by q^teringis of þe officers in þis preſent ß^rvice and þ^t they hawe bein ſo far from aſſiſting þe enemies of þis kirk and kingdome þ^t they þ^mſelffis hawe oppoſit þ^m and divertit wthirs Thairfor deſyring þ^t they may be declared to be weill deſerving ſubjectis and any act þ^t ſall be grantit in favoris of any weill deſerving in theſ pairtis they hawe þe lyk. The Comittie hawing

ſein ane teſtificat ſub^{t} be maſter John dollos þe miniſter of ſydie q^{r} þe ſupplicantis dwellis teſtefieiſg þ^{r} affectioun to þe cauſe and þ^{t} they wer not acceſſorie to any inſurrectionis aganis þe eſtats of þis kingdom but diſſuadid þ^{r} freinds þ'fra It is þe humble oppinioun of þe ſd Cõmittie þ^{t} þe ſupplicantis be declarit guid and weill deſerving ſubjects and þ^{t} any publict act quhich ſall be maid in favoris of any weill deſerving & guid ſubjectis may be extendit to þ^{m} and þ^{r} tenentis

Jo: Dikſone: I: P: Com.

7. Auguſt 1649.

The report w'in w'ttin red and remitted be the Parlia^{t} to the Committie of Eſtaitt^{ſ} And ſeriouſlie Recommendit to them to declare Conforme to the report of the Committie of billes w'in w'ttin or vtherwayes as they ſhall find expedient

A JHONSTON Cls Reg̃rj]

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[SUPPLICATION of Mr Robert Farquhar.

THE humble ſupplicatioun of Mr Robert fferquhar Vnto the hono^{ble} eſtaittes of parliament Humblie ſcheweth That I long ſince haveing ſupplicat yor Lo / To take my diſtreſſed conditione for the publict in conſideratione And to grant me ſome releiffe that I ſould not be ſuffered to periſche and ſink vnder the burdeines contracted for the publict Yo^{r} Lo / was pleaſed To remitt me To Sir Johne Smithes cõmittee who did conſider the ſaid ſupplicatioun And my comptes and former actes of parliament made in my favoures And ffindes Reſtand to me de claro at the tearme of witſunday laſt by paſt J^{m} vj^{c} fourtie nyne yeares Ane hundreth fourſcoire ten thowſand eight hundreth fiftie and nyne poundes ane ſchilling two pennies And did giue thair opinione and mak thair Report To Yo^{r} Lo / That in regaird of my preſſing burdeines and vrgent neceſſities And great ſufferinges for the publict both in my perſone and eſtaitte I ſould be aſſignit To the haill fynes and foirfalto^{r}ſ off delinquentes alreddie fyned or to be fyned And to the reſtes of any publict dewes yet in collectores handes or vther wayes reſtand and vnvplifted preceeding the firſt of october laſt ay and q^{ll} I wer payit of my ānuelrent And ane conſiderable pairt of my ſaid prin^{ll} ſoume But prejudice of former aſſignationes And alſe that I ſould be aſſignit To the half of the haill excyſe be north Tye Efter the firſt day of Maij to come in anno J^{m} vj^{c} and fiftie yeares att q^{ch} tyme the preſent Takes thairof ar to expyre And in the meantyme whill the ſaidis takes ſould expyre That I ſould have precept vpoun the cõmiſſ^{r} gñall for ſome conſiderable thing for my p̃t ſubſiſtance and releiffe Which report being red in audience of parliament It pleaſed yor lo / To grant me the ſoume of two thowſand pound ſterling out of the fynes and foirfalto^{r}ſ and Reſtes in collecto^{r}ſ handes with reſervatioun of former aſſignationes And did appoynt the cõmittee for Lampſons buffines To find out a way to ſatiſfie me off fyve thowſand pound ſterling By and atto^{r} the ſaid 2000 ^{lib} And that in pairt of peyment to me of the foirſaid ſoume dew to me be the publict And now findeing the parliament drawing neir to ane cloiſe and that ther is no way found out be the ſaid cõmittee ffor my ſatiſfactioun in the leaſt meaſ^{r} I Doe yet humblie deſyre yor lo / To conſider my ſad conditione and aither grant me aſſignatioun To the halfe of the excyſe be north Tye efter the firſt day of Maij J^{m} vj^{c} and fiftie yeares Or ſome vther effectuall way of Releiffe at leaſt for ane conſiderable proportioun of the ſoume dew to me At leaſt that yor lo / wald be pleaſed In caice yor lo / have not tyme to take it p̃tlie in conſideratioun To remitt and Recõmend this my ſupplicatioun To the cõmittee of eſtaitt^{ſ} with power to them to conſider and determine & c^{a} And Your Lo / anſ^{r} I doe humblie crave.

Ed^{r} 7. Auguſt 1649

The Eſtaitt^{ſ} of parlia^{t} Remitt^{ſ} and ſeriouſlie recommends The ſupplication abovew'ttin w^{t} the deſyre of the Committie therinconteinit To The Committie of Eſtaitt^{ſ} With pouer to them to give ſatiſfaction to the ſupplicant According to his deſyre Or at leaſt to find out ſome other effectuall way of his releiff And to determine þ'in as they ſhall think fitt

LOUDOUN · Can^{tr}rius

I P D P.]

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[SUPPLICATION of Beatrix Home

VNTO the Right Honourable The Eſtaites of Parliament The Humble Petition of Beatrix Home wedow in Dunce.

Schewing

THAT whairas for the Love and affection which I have to the Cauſe of God in hand, I have furniſched Quarter^{ſ} to the Gñall Livetennent, Gñall of the Arteilzerie Sir Johne Broune and other pryme officer^{ſ} of the Army in ther goeing and returneing from England with there Servandis and attendantis To the Availl of ffyve Thowſand Merkis and above which ſhalbe particularly inſtructit be ane Juſt Accompt þ'of To be given vpp to zour lo^{ps} / Vpon Demand Which Quartering wes for the maiſt pairt borrowed and vndertaken be me from good nighboures wher I cam ſhort of furniſcheing my ſelff And trew it is that with the foreſaid Quartering And my owne attendance for payment theiroff I am now adebtit to the aforeſaid nighboures In the ſowme of ffoure Thowſand merkis and above So that I am now not only brought to extreme Miſerie and Povertie Bot alſo am ingadged to other^{ſ} In the ſowme aforeſaid And what wes

left be the ſaidis Quarteringes is now Altogether takin away be Cromwell and his Aſsociatis So that I am now vtterly Deſtitute of all meanes of Subſiſtence. IT is therfore your Petitionerꝭ humble Deſire That your lopis / would be pleaſed to take ſome effectuall and ſpeedie Courſe how my aforeſaid debtꝭ may be defrayed And ſomething Alloted to me for my pñt manteinance with my family That we be not altogether putt to beggarie by Recõmending me to the Gñall Cõmiſſr / Cõmiſser of the Schyre, or any other Courſe Your lops / ſhall think moſt expedient Wherby your lops / may cary alongis with ȝow the Prayerꝭ and endeavorꝭ of a poore diſtreſt wedow and fatherles Childrene ffor a bliſsing vpon all ȝour proceidinges And ȝour lops / anſr I humbly expect.

Edr 7 Auguſt 1649

The Eſtaittꝭ of parliat ſeriouſlie recommends The w'in w'ttin ſupplication wt the deſyre þof To the Committie of Eſtaitts To find out ſome effectuall courſe for hir and hir childrens pñt ſubſiſtence, or vtherwayes as they ſhall think fitt.

A JHONSTON Cls Regr]

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[SUPPLICATION of Agnes ſtewartt

WNTO the richt honoll The eſtates of parliament The humble ſupplicatioune of Agnes ſtewart ſpous to James ſtevinſtoune myller at Drupmylne That qr as I haue leivitt with the ſaid James ſtevinſtoune my huſband Theſe fyfteine or ſexteine ȝeiris paſt wnder the greateſt oppreſſioune and thraldome that ever wes ſufteinit be ane wyff from ane huſband being oftymes beattin and ſtruckine to the effuſioune of my blood Oftymes putt into greateſt extremitie of want of neceſſar mentenance Sumtyme ſchott out of dores naikit in ſtormy and cold wethir And many the lyk hard wſages I haue indurit whiche wer tedious to relaitt to ȝor Lo / All whiche hes beine fullie cleirit befor the ſeſſioune of the parochine of Cathcart q'in I did Leive and the preſbiterie of glaſgow. As by the extract of the proces againes the ſaid James ſtevinſtoun my ſaid huſband heirwith producit is maid to appeir Notwithſtanding all whiche ſufferingis I being moſt willing to diſcharge the chriſtiane dewtie of ane wyff to her huſband wes content to cohabitt with him vpon promeiſe of his bettir cariage whiche he faithfullie promeiſit bothe to the Miniſter of Cathcart and preſbiterie of glaſgow making ſeaming repentance in the congregatioune of his ſcandalous offence Notwithſtanding of all whiche it wes not long till he renewit his former wncriſtiane cariage whiche I not being habill any longer to indure being now becum infirme and weill ſtruckine in ȝeiris did againe meine my ſelff wnto the ſeſſioune and preſbiterie foirſaid who haveing callit my ſaid huſband befor thame And he obſtinatlie refuiſing to diſcharge that Criſtiane dewtie that became him Thay haue recõmendit by the paper heirwith producet the conſideratioune of my conditioune to the civill Judge whiche ſtandis thuſe By my contract of mariage alſo heirwith producet The ſaid James hes auchtſcore merkꝭ ȝeirlie whiche wes the conjunct fey of my former vmqll huſband Quhilk is my humble deſyre that ȝor Lo / may allow wnto me to be the meanis of my ſubſiſtance without whiche I am not habill to leive being baniſhit out of his familie with quhat farder ȝor Lo / will modefie ffor my neceſſitie ffor I am not willing to inſiſt for any corporall puniſhment againes him haveing the name of his wyff

REPORT anent the ſupplicaõun of Agnes Stewart aganis James ſtevinſone hir huſband anent the wrangis and violences done be him to hir And þby forceing hir to leive his companie

The Cõmittie Haveing hard the pties and conſiderit the ſupplicaõun with the act and teſtificaõun of þe preſbiterie of glaſgow anent þe huſbandꝭ miſcareage to þe ſupplicant his awin wyff IT is the Humble oppinioun of þe cõmittie That thair ſal be preſentlie payit to þe ſupplicant for defraying the expenſs of hir bygane Intertenement that ſcho hes bein out of hir huſbandꝭ famelie Occaõned by his falt The ſowme of ane hundrethe merkꝭ Out off þe firſt end of þe aucht ſcoir merkꝭ dew to hir ȝeirlie be hir firſt huſband And payll be androw king þr ſone And that the ſupplicantꝭ diſcharge wpone this hundreth merkꝭ be declareit ſufficient for þe payarꝭ exoneraõun þof As alſo it is þe oppinioun of þe Cõmittie that the ſupplicant be Ordaneit to go home and adheare to hir huſband and that he be appoyntit to Cohabeit wt hir In ane Chriſtiane and peceable way as becomes huſband and wyff in ſick maner as þe preſbiterie of glaſgow qr hes takin tryell of þe bygane miſcareage Sall think fitt and that þe huſband become actit and giff ſuche aſſureance to þe preſbiterie to þe effect aboue ſpẽit as they ſall Judge neceſſr Qrintill giff he failȝie and contraveine IT is þe Oppinioun of þe Cõmittie That the ſupplicant efter declaratõr of þe failȝie Sall have Ryt to þe forſaid Aucht ſcoir mkꝭ to be payit to hir ȝeirlie þefter and hir diſcharge þrvpone to be ſufficient to þe payare wtout hir huſbandꝭ ꝑſent

Mr J Hay. I. P. Com.

Edr 7°. Auguſt 1649

The Eſtaittꝭ of parliat remittꝭ and recommendꝭ the w'in w'ttin report To the Committie of Eſtaittꝭ wt pouer to them to determine þin]

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[REPORT of the Committie of Billis on the ſupplication of Andrew Agnew appeirand of Lochnaw Sr̃eff of Galaway

Edr 2 Auguſt 1649.

THE Cõmittie of bills having hard and conſiderit the ſupplicaõun of the Sr̃eff of Galaway Schowing that he being nominat exẽr to wmqh Levtennent Collonell James Agnew his brother quha was Levtennent Collonell to þe wmqh Lord Kirkcudbricht his regiment And qlk regiment did for their guid ſrvice at philiphauche get allotit and appoyntit to be payit to þm fyftein thouſand merkis out of þe Lord Herres his eſtait for which ſowme þe fm Lord Herres being forfalt befor It was reſchindit he paying þe fm ſowme to þe officers of þe fm regiment q'of nether þe ſupplicant nor his fm wmqh brother befor his deceaſe did get nor hes gottin nothing þrof The Cõmittie foirfd findis þe fm ſupplicaõun inſtructit by productione of þe act of parliament grantit in favoris of þe fm wmqh Lord Kirkcudbricht his regiment for þe ſowme foirfd As alſo findis þt þe ſupplicant hes ſufficient richt as exẽr foirfd to leik payment of þe ſowme of thrie thouſand ſevin hundrethe and fyftie merkis which is þe juſt fourt pairt of þe fm ſowme of fyftein thouſand merkis And qlk is teſtefied wndir þe hand of þe q'tirmr of þe fm regiment to be dew and git reſtand to þe fm wmqh James Agnew. In regaird q'of and of þe ſupplicantis guid deſervingis and conſtant affectione to þe cauſe now in hand IT is þe humble oppinioun of þe Cõmittie þt þe fm Lord Herres be ordanit to pay to þe ſupplicant þe fm ſowme of thrie thouſand ſevin hundrethe and fyftie merkis which is þe juſt fourt pairt of þe fm ſowme qlk þe fm Lord is formarlie ordanit to pay by act of parliament And is dew to þe ſupplicant and his fm wmqh brother in maner foirfd And that þe parliament grant lres to chairge þe fm Lord Herres to pay þe ſamyn. And alſo give warrand to þe gñall officers of þe armie þt they may give ordor to þr wndir offirs to q'ter on þe fm Lord Herres his landis till he mak payment to þe ſupplicant of þe fm ſowme of thrie thouſand ſevin hundrithe and fyftie merkis money foirfd

Mr J Hay. I. P. Com.

Edr 7. Auguſt 1649

The Eſtaitts of parliat ſeriouſlie Recommends to the Committie of Eſtaitt̃ The report abovew'ttin wt pouer to them to determine therin As they ſhall think fitt

A JHONSTON Cls Reg̃rj]

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[REPORT of the Committee of Bills on the Supplication of John Craufurd of Camlarge

Edr þe 6 Auguſt 1649.

THE Comittie of bills having hard and conſiderit þe Supplicaõun of Johne Craufuird of Camlarge Schowing þt quhen þe waſt cuntrie forces wer in armes about ffalkirk he being þn imployed by þe lord chanceler in ane publict buſienes. And being on his Jurnay for diſcharge þrof He was in ſeptember 1648 moſt wiolentlie beſet and ane horſ takin from him (which was woirthe four hundrethe merkis) By certane perſonis men woman and childrin in þe towne of Lenrik Amangs quhom þr was one Patrick Lochor indueller in Lenrik quha did tak þe fm horſ from þe ſupplicant and as git ſtill detenis him THE Cõmittie foirfd having grantit citatioun aganis þe perſonis contanit in þe ſupplicantis lybill quha being lawfullie ſumond and ſum of þm compeirand and þe Comittie having takin þe oathis and depoſitionis of theſ þt did compeir at þe ſupplicantis deſyr and þe fm patrick Lochor being callit and not compeirand They find by þe depoſitionis which is reſſauit as alſo by þe declaratioun of þe ballie of Lenrik That þe fm patrick Lochor was þe onlie man that did tak from þe ſupplicant þe fm horſ and as git detenis þe ſamyn to þe ſupplicantis great prejudice And that albeit he hes bein chalingit thairfor and hes fund cautioun befor þe ballies of Lanrik to reſtoir þe fm horſ git he ſtill delayis to doe þe ſamyn In regaird q'of and þt when þe fm horſ was takin from þe ſupplicant he was imployid in the publict ſrvice and hes ſuffirit great prejudice ſenſyn by want of his fm horſ

IT is þe humble oppinioun of þe Cõmittie þt þe fm patrick Lochor be ordanit by þe parliament to pay to þe ſupplicant þe ſowme of thrie hundrithe and thrie ſcoir merkis which þe fm ſupplicant hes deponit being ſuorne by his great oathe Is þe trew woirthe and pryce þe fm horſ and graith takin fra him in maner foirfd was woirthe at þt tyme And þt lr̃es be direct wpon ſex dayis to chairge him for þt effect And þt if þe fm patrick Lochor be not ſufficient for þe fm ſowme þt þe parliament give warrand and cõmand to þe ballies of Lenrik to aſiſt þe ſupplicant in any lawfull way to mak þe fm ſowme effectuall to him And for þt effect put þr act in execuõun aganis þe fm patrick Lochor his cautiounar And þt þe parliament wald modefie ſum competencie for þe ſupplicantis expenſs becauſe of þe want of his fm horſ ſo long and þe expenſs warrit be him in þe fm mater

Andrew Agnew. I. P. Com.

Edr 7. Auguſt 1649

The Eſtaitt̃ of parliat ſeriouſlie Recommends the report abovew'ttin to the Committie of Eſtaitt̃ wt pouer to them to determine þrin As they ſhall find expedient

A JHONSTON Cls Reg̃rj]

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Apud Edinburgh,

VII DIE MARTII, A. D. M,DC,L.

IN THE FOURTH SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith, Holden at Edinburgh and begun the seventh of March 1650 [The day appointed be the last act of the laſt Seſsion of this Second Trienniall Parliament holdin at Edinburgh and begun upon the 23d of May 1649 and ended the 7th of August in the ſaid year, to be the day of the meeting of the Estates of Parliament in this fourt Seſsion of this ſecond trienniall Parliament.]

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VIII MARTII.

1 A LETTER from the Parliament to the Kings Majestie [humbly acknowledging his Majesties gracious acceptance of the affection and fidelity of this Kingdome &c.]

. . . . . .

2 COMMISSION grantit be the Parliament to the Commiſsioners who are to goe to his Majestie, [John Earl of Caſsiles, William Earle of Louthian, Alexr Brodie, George Winrahame, Sir John Smith, & Alexander Jaffray, To repaire to the Kings Majestie at Breda to treat with his Majestie upon the grounds of the former deſires presented to him at the Hague be the Commiſsioners of the Parliament of this kingdome according to the ſolemne league and Covenant &c.]

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3 A LETTER from the Parliament to the Prince of Orange to move the King to satisfye their juſt deſyres &c.

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4 ACT containing directions given to the Committee of Estates anent their giving further Instructions to their Commiſsioners that goe to the King [of which Committee there must be five of every eſtate and of the quorum twenty and one, or else the Commiſsioners to act nothing concerning security of religion or safety of the kingdome, nor without adviseing with the moderator of the Commiſsion of the kirke And the Committee to give no directions Contrary to the former inſtructions]

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[INSTRUCTIONS from the Parliament to the Commiſsioners goeing to the Kingis Majestie

YOW shall shew his Matie that imediatly after the receipt of his letter, all poſsible expedition was vsed for yor dispatch before the Parlt. But the meiting thereof haveing drawne neere before yee could be in readyneſſe, It was thought neceſsary that yow should receive their direction & approbation.

1 YOW shall shew his Matie, that this Kingdome was not satiffyed with his Maties letter; And that the sending of Comrs to treat with his Matie was not vpon the grounds of the said letter, but in prosecution of their former desires, and vpon the grounds cleered to his Matie by their Comrs in their former papers.

2 YOW shall desire that his Matie recall and diſclame all Cōmiſsions iſsued forth for acting any thing by Sea or Land, to the prejudice of the Covenant, or this Kingdome, or any who doe or shall adhere to the Solemne League and Covenant, & Monarchicall governmt in any other of his dominions, And all Declarations made by any in his Name, or by his warrant, agt the same. And further you shall desire his Matie to diſallow or declare Null & voide, all Treatyes and Agreements whatsoever, with the bloudy Rebels in Ireland, And to declare, that hee will never allow nor permitt any liberty of the Popish Religion in Ireland, or any other part of his Dominions.

3 YOW shall desire that his Matie would acknowledge the authority of this, and the former Parlts that hath beine since the time that his royall ffather or his Cōmiſsioners were present therein; And parteularly yow shall demand from his Matie such an allowance & approbation of the Acts made in this and the two last imediat preceiding Seſsions of this current Parlt, as the Comrs of this Kingdome obtained from his royall ffather in ansr to their first demands in the Large Treaty 1641.

4 YOW shall remonſtrate to his Matie the motives contained in the 11th article of the former Instructions sent in March 1649, and prosecute the same with all the Arguments yow can, especially from the Straits this Kingdome may be put to, after so many ineffectuall addreſses to his Matie.

5 YOW are to demand from his Matie that so soone as hee shall come to Scotland, and before his admiſsion to his royall power, hee shall sweare, subſcribe, and seall the Nationall Covenant, and

the Solemne League & Covenant in the words following to be subjoyned to both.

I CHARLES, KING of Great Brittaine, France, & Ireland, doe aſsure & declare by my solemne oath, in the presence of almighty God the searcher of hearts, my allowance & approbation of the Nationall Covenant, and of the Solemne League & Covenant abonewritten; And faithfully obleiges my selfe to prosecute the ends thereof in my Station & calling; And that I for my Selfe & Succeſsor, shall consent and agree to all acts of Parlt enjoyneing the Nationall Covenant, & the Solemne League & Covenant, and fully establiſhing Presbyteriall Government, the directory for worſhip, Confeſsion of faith, and Catechismes in the Kingdome of Scotland, as they are approven by the Generall Aſsembly of this Kirk & Parlt of this Kingdome; And that I shall give my royall aſsent to the Acts of Parlt enjoyneing the same in the reſt of my Dominions; And that I shall observe these in my owne practise and ffamily, and shall never make any opposition to any of these, or endeavour any change thereof.

6 YOW shall likewiſe acquaint the Kings Matie with the Oath of Coronation wch according to the Acts of Parlt, hee is to take. And yee shall desire his Matie to consent & agree, that all matters Civill be determined by this, & the subsequent Parlts of this Kingdome, and such as are & shalbe authorized by them; And all matters Ecclesiasticall by the enſueing Aſsemblyes of this Kirk, and such as are, or shalbe authorized by them, as was formerly condeſcended & agreed to, by his Maties royall ffather.

7 IF his Matie shall grant the desires contained in the 2d, 3d, & 6th. articles, and shall faithfully & cleerely promiſe & aſsure in verbo Principis, to give the satiſfaction desired in the · 5th. article, so soone as his Matie shall come to Scotland, And shall deliver to yow vnder his hand & seall, the grant & aſsurance aforesaid, directed to the Parlt, and they not sitting To the Comittee of Estates of Parlt, and to the Comrs of the Kirk; Yow shall in their Name invite his Matie to come to this Kingdome, And give him aſsurance that hee shalbe received & intertained with all the duety & respect wch can be demanded or expected from Loyall subjects, who are tyed to him by so many bonds & oathes; And that vpon his giveing the satiſfaction aforesaid, his Matie is freely to exerce his royall power. But it is rather our humble advice & earnest desire his Matie should give the satiſfaction aforesaid in Holland, that hee may at his first arryvall enter to the full exerciſe of his royall Governement, to the great contentment of all his good people.

8 IF there shalbe any question about the meaneing of the Oath & aſsurance wch his Matie is to give for security of Religion, That it be declared to his Matie, that it doth not only import that the Nationall & Solemne League & Covenant, be taken by his Subjects; but alſo his approbation of all the heads & articles thereof in his owne particular judgement.

9 IF his Matie vpon these grounds resolve to come hither, Yee shall desire that his Matie would be pleased to Leave all thoſe persons who were excepted by the Propositions of both Kingdomes, Or agt whom this Kingdome hath just cause of exception; And to consent and Declare, that hee will in matters Civill follow the advice of his Parlt, and such as are or shalbe authorized by them, And in matters Ecclesiasticall, the counſell of the Generall Aſsembly, and of such as are, or shalbe authorized by them; wch is declared by this Parlt to have beine the only meaneing of the generall clause in the Act of the · 7th · of ffeb: Anent the Kings giveing satiſfaction in what further shalbe found neceſsary for the setleing of an happy peace, preservation of the Vnion betuixt the Kingdomes, and for the good of the Croune & his owne honor & happineſse.

10 YOW shall observe good correspondence with the Comrs of the Kirk, according to your former Inſtructions.

11 YOW shall keepe good correspondence with the Engliſh Presbyterians, and encourage them to be conſtant in the Cause & Covenant.

12 AFTER meiting with the King & the first day of the Treaty, yow are not to continue the Treaty any Longer than the 30tie dayes, wch is the time affixed to yow for closeing, vnleſse yow finde good cauſe to stay Longer, In wch caſe, you are allowed to ſtay ten dayes Longer, and thereafter to returne.]

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ANE letter of Credit given to the Comiſsioners viz. John Earle of Caſsills, William Earl of Lothian, Alexr Brodie of that Ilk, Mr George Winrahame of Libertoun, Sir John Smith, Alexr Jeffray imployed to goe to his Majestie, to borrow beyond seas, upon the creditt of this kingdome, the summe of three hundred thouſand pounds; [declaring this warrant to be a sufficient security to the lenders; and ordaining the great seal of this kingdome to be appendit therto.] 6

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APPROBATION to my Lord Libertoun of his Cariage in his last negotiation towards his Majesty, [giving him the hearty thanks of this parliament and kingdome, and ordaining his superexpences to be payed him and to be allowed as incident Charges] 7

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8 ACT continuing the mayntenance of the Army from the first of November 1649 to the first of June 1650

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ACT appointing Archibald Lord of Lorne To be one of his Majestys Privie Counſall

9 AT EDINBURGH the eight day of March The geir of god J^m vj^c and fyftie geires, THE Eſtaites of Parliament now p̃ttlie conveined in this fourt ſeſſione of the ſecond trieniall parliament, Taking to thair conſideratione, The abilities and quallificatione of Archibald Lord Lorne, &c. Haue nominat and elected And be thir p̃ttis nominatis and electis the ſaid Archibald Lord Lorne To be one of his Maties privie Cownſall ad vitam vel ad culpam, And Geives and grantis to him all hono^rſ dignities freedomis, priviledgis and Imunities belonging to the ſaid place, With pouer to him to bruik and enjoy the ſame alſ freilie in all reſpectis as any of his Maties privie Cownſall hes bruiked the ſame in any tyme bygone, And quhich may be now bruiked and enjoyed by them be the Lawis of this kingdome, Conforme to the act of Parliament of the ſexteint of ſeptembir J^m vj^c fourtie ane And Comiſſiones granted to the Lordſ and vtheris of his Maties Privie Cownſall.

ACT discharging borrowing of money

10 AT EDINBURGH The Eight day of Marche The geare of God J^m vj^c and ffiftie gearis The Eſtates off Parliament now p̃ttlie conveinit in this ffourt ſeſſioune off this ſecond Trienniall parliament Haue diſchairgit And diſchairges the Cōmittee formerlie appoynted ffor Borrowing of moneyis ffrom any farder borrowing off any ſoumes off moey from any perſone q^tſu̇m^r Or for giving anie new cita^ounes To any perſones or farder proſequuting of any thing againſt p^m vpon anie cita^ounes alreadye givin And that notwithſtanding off any former act or warrand maid or granted for that effect And declaires that this ſhall no wayis prejudge hinder nor ſtop the forſaid cōmittee ffrom exacting or vplifting off any ſoumes off moey ffrom whatſu̇m^r perſone or perſones Againſt q^m ſentence is givin & pronunced ffor Lending off the same before the day and dait heiroff

. . . . . .

11 ACT anent the continuation of the Parliament [to the 15th of May nixt to come to be holden at Edinburgh; and desiring the Committee of Estates to consider of the best and speediest wayes of prosecuting the enemyes of this kingdome, who have already, or shall invade the same.]

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Apud Edinburgh,

XV DIE MAII, A. D. M,DC,L.

IN THE FIFTH SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith, Holden at Edinburgh and begun the fifteenth of May 1650.

XV MAII.

ACT Anent the electione of the E. of Low- 1
doun Lord heich chancelar of this realme, To be preſident for this ſeſſione of parliament.

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INSTRUMENTIS takin be the L. M. of 2
Argyll wpoun the productione of the hono^rſ in face of parliament and delyverie p^roff to the laird of ſcottiſcraig in name of the Erle marchell

. . . . . .

XVI MAII.

COMISSIONE for the priſoner^ſ proceſſ 3
fynes and foirfaulto^rſ

. . . . . .

COMISSIONE to the Comittee of diſ- 4
patches

. . . . . .

ACT prorogating the cōmittee of excyſe 5

. . . . . .

XVII MAII.

ACT Ordaneing the ſentence and dome of 6
foirfaulto^r to be putt in execu^one aganes James grahame, and for tryell of the remanent captives

. . . . . .

XVIII MAII.

ORDOUR givin to the magiſtrat^ſ of Ed^r to 7
receave James grahame and the remanent priſoner^ſ from Co^ll Campbell of Lawer^ſ at the water gaitt &c^a

. . . . . .

8 ACT conteaning demandis maid to his Mãtie

. . . . . .

9 ACT conteaning the declara°ne and Judgment of parliament concerneing the ſenſ and meaning of the artickles of invitatione maid to his Mãtie

. . . . . .

10 INSTRUCTIONES from the parliament to the Cõmiſſioner̃ who went to his Mãtie

. . . . . .

11 ACT Ordaneing thir word̃ (according to the ſolemne league and covenant) To be eikit to the oath of alledgance

. . . . . .

XX MAII.

12 ACT anent the tyme and maner of the execu°ne of James grahame

. . . . . .

13 COMMISSIONE for cognoſceing of paper̃ givin in aganes witches

. . . . . .

14 ACT Ordaneing the exchekq^{r}, the iuſtice court̃, and the comittees of warr in the ſeverall ſhyres, to ſitt notw^{t}ſtanding of the ſitting of the parliament

. . . . . .

15 LETTER from the parliament to the Livetennent ge^{ll}

. . . . . .

16 LETTER from the parliament to the Cõmiſſionar̃

. . . . . .

17 ORDOURIS for Co^{ll} Campbell of Laweris his regiment to go to fyff, and Co^{ll} arnot̃ troup to go further north

. . . . . .

18 INSTRUCTIONES from the parliament to the L $_{l}$ of ſcottiſcraig

. . . . . .

19 LETTER from the parliament to Sr Johne ſmyth for making matrices for coyneing of money and in his abſence to the ꝑſervato^{r}

ORDOURIS to the ꝑveiſt of Ed^{r} to haue in readienes a man for carieing of letter̃ to the cõmiſſionar̃ to Holland & to provyd for his charges 20

. . . . . .

ACT and Commiſſione in favo^{r}̃ of Mr James Morieſone miniſter 21

. . . . . .

ORDOURIS to the toun of Ed^{r} to pay 6 ℔ ꝑ diem to ſtranger officiar̃ priſoner̃ and they to haue ꝑ^{r} releiff 22

. . . . . .

XXI MAII.

ACT anent his Mãties accomodatione in the north 23

. . . . . .

ACT in fauo^{r}̃ of the Lord Angus and Sir Ro^{t} Murray anent the priſoner̃ in the Canongait

THE Eſtaites of parliament, Now p̃ttlie conveined in this fyft ſeſſione of the ſecond triẽniall parliament, Taking to thair conſideratione, Thes comon ſouldio^{r}̃ contined in the tuo Roll̃ produced be the Magiſtrat̃ of Ed^{r} with thair depoſitiones takin be the ſaid̃ magiſtratis, The number q^{r}of extend̃ in all to tuo hundreth fourſcore one, They haue ordeined and ordeines That all thes natives who haue wyues and childering, or haue old aiged or decreped and infirme parentis, or are decreped themſelluis, and ſuch as are p̃ttlie ſeik and infirme. (The number q^{r}of they haue fund to be about fourtie perſones) Be p̃ttlie put to libertie and repair to thair ſeuerall homes, And as for the whole reſt (except Robert grahme Ingliſhman James Dune, and Allex^{r} Grime) The ſaid̃ Eſtait̃ of parliament Ordeines them to be delyured to Archibald Lord Angus and Sr Robert Murray To be diſpoſed vpon conforme to the deſyr of ꝑair ſupplica°ne, Except tuall men to be choſen furth of them be Ginerall quartirmaiſter William ſteuart, And ſex men be Sr James Hope of Hoptoñ, And the ſaid̃ Eſtait̃ haue diſchairged and diſchairgis thes priſoneris gifted to the Lord Angus and Sr Robert Murray, To returne to ꝑis kingdome wnder the paine of Death, And Hes ordeined the ſaid Lord Angus and Sr Robert Murray, That they p̃ttlie intertein them and liberat the ſaid̃ Eſtait̃ of thair interteinment, and of all bygaines due for thair ſaid Interteinment ſince thair entrie in ward and ordeines the Baill$_{3}$ies of the Cãnongait to delyuer them this day eftirnoone to the ſaid Lord angus & Sr Ro^{t} Murray or any hauing ꝑair warrand, They allwayis ſatiſfieing and defraying the chairges as is abouewr̃in. 24

25 LETTER from the parliament to the King

. . . . . .

26 ORDOUR to the L / nidderie to give 300 m̃kꝭ to Jo^n denholme to be given to Cap. blek

. . . . . .

27 COMISSIONE for regulating the quarteringis

. . . . . .

28 COMMISSIONE for billꝭ

. . . . . .

XXII MAII.

29 WARRAND to the ſeverall ſhireffis to aſſiſt the tranſporting of Mr Wm Lumſdeane and Thomas menȝes from abirdein to ed^r

. . . . . .

30 ACT in favo^rꝭ of þe L / houſtoun

. . . . . .

XXIII MAII.

31 LETTER from the parliament to the Liveten: ge^ll

. . . . . .

32 COMISSIONE for thinking wpoun a way of ſatiſfieing of the L / Aſſint ⁊ c^o and rewarding of the ſouldio^rꝭ obteanerꝭ of the laitt victorie in the north

. . . . . .

33 COMISSIONE for conſiddering of þe officiarꝭ and the way of interteanment of the Kingis hous

. . . . . .

34 COMMISSIONE for overturꝭ and lawis

. . . . . .

35 PRECEPT in favo^rꝭ of Jeane ogilby to the theſaurar of the excyſſ

. . . . . .

36 ACT diſchargeing quarteringis wpoun the toun of Linlithgow till þ^r ſupplica^one be reported from the Comittee

. . . . . .

37 ACT in favo^rꝭ of George porterfeild ꝑveſt of Glaſgow

. . . . . .

XXV MAII.

ORDOURIS for the E. Callander to go furth of þe Cuntrie 38

. . . . . .

WARRAND to the toun of Ed^r for interteaning of Co^ll gray and otherꝭ 39

. . . . . .

XXVIII MAII.

ACT and dec^t aganes S^r Jo^n hurrie 40

. . . . . .

ACT and dec^t Cap. Jo^n ſpottiſwood 41

. . . . . .

ACT in favo^rꝭ of Cap. andro affleck 42

. . . . . .

COMISSIONE for conſiddering the expediencie of taking of oathes in materis of excyſe ⁊ cuſtome 43

. . . . . .

XXIX MAII.

ACT in favo^rꝭ of M^rꝭ James Morieſone and patrik Waterſtoun miniſterꝭ of orkney 44

. . . . . .

PRECEPT for eliſabeth blyth 45

. . . . . .

ACT ordaneing Comanderꝭ to be comptable for ſojo^rꝭ horſſ and armes 46

. . . . . .

LETTERIS from the parliament to the Liveten: ge^ll ⁊ ge^ll maior 47

. . . . . .

ORDOURIS for the forces who ſhall happin to be lying in thoiſ ꝑtꝭ of the north whair the kingis Mãtie ſhall happin to land. 48

. . . . . .

ACT approveing the warrand Givin be the M. of argyll to bring Cap. hallꝭ ſhip to leith harburie 49

. . . . . .

50 ORDOUR anent the diſpoſeing of the bark takin at Inuernes

. . . . . .

51 ACT for adiurneing the ſeſſion till the firſt of Julij

. . . . . .

XXXI MAII.

52 DECLARATIONE in favo^r^ of the Erle of Erroll anent the foirfaultrie of the L^d^ of Dalgetie

. . . . . .

53 ACT in favo^r^ of w^m^ roſſ and dauid drumond

. . . . . .

54 ACT anent Iſſobell Alex^r^

. . . . . .

55 ACT continewing the monthlie mentenance for the month of Junij 1650

. . . . . .

I JUNII.

56 ACT for ordoring of the hous

. . . . . .

57 COMISSIONE for þe ge^ll^ Comiſſ^rs^ effair^s^

. . . . . .

58 COMISSIONE for valuationes

. . . . . .

59 ACT for liberating Cap. houſtoun

. . . . . .

IV JUNII.

PROTESTA^o^NE Ld Borthwick ꝙ^r^ Ld Cathcart

. . . . . .

PROTESTA^o^NE Ld Cathcart ꝙ^r^ L^d^ borthwick

. . . . . .

60 ACT continewing the execu^o^ne of the Ld Dalgetie till fryday nixt

ACT in favo^r^ of the Ld Lawer^s^, Do^r^ ſharpes wyff, and Mr James Campbell ꝓveſt of Dumbartan 61

. . . . . .

ACT in favo^r^ of Andro Love 62

. . . . . .

ACT in favo^r^ of the Ld Swyntoun 63

. . . . . .

ACT reſtrayneing certane perſones from coming w^t^in the cuntrie during the parliament^s^ pleaſur 64

. . . . . .

ACT adding certane perſones to the Comittee of diſpatches 65

. . . . . .

ORDOUR for delyverie of the tuo peices that ar in the bark w^che^ cam from Inuernes to the Liveten: ge^ll^ and for putting of the amonitione in the magazen hous 66

. . . . . .

ORDOUR for delyverie of the trunck and wreatt^s^ w^che^ cam from orkney to the Clerk regiſter 67

. . . . . .

ACT and dec^t^ aganes Co^ll^ w^m^ fibbald 68

. . . . . .

WARRAND to Maior M^c^birny anent the tranſporting of the cannon and amonitione w^che^ wer in drumfreis 69

. . . . . .

ACT anent the delyverie of the armes delyvered be weſtq^r^ter to the toun of Drumfreis to any haveing warrand from the Committee of war of ſtirling 70

. . . . . .

ACT for confyneing of w^m^ fincklar Jo^n^ Cunynghame and James Innes t putting thame to libertie furth of the wardhous of ed^r^ 71

. . . . . .

ACT in favo^r^ of Jo^n^ Cokburne 72

. . . . . .

PROTECTIONE Ld Glenwrquhy 73

74 ACT in favo^{r} of George douglas

. . . . . .

75 ACT adding the L^{d} Ceſnock to the comittee for þe ge^{ll} Comiſſar^{s} effair^{s}

. . . . . .

VI JUNII.

76 PASS to the dutche priſoner^{s}

. . . . . .

77 ORDOUR for removeing Sr Charles erſkynes and Liveten: Co^{ll} bruce troupes and the M. argyll^{s} foott

. . . . . .

78 ACT in favo^{r} of maior w^{m} roſſ of Grungaird & Johne roſſ of Little tarrell

. . . . . .

79 ACT adding the Comitteeis of proceſſ to the Comittee of fynes & foirfaulto^{r}^{s}, and making of both one

. . . . . .

80 ACT in favo^{r} of the reliet of doctor ſharp

. . . . . .

81 CITATIONE granted aganes Naper and Roſſ to compeir befoir the parliament

. . . . . .

82 ORDOUR for quartering Rootmaiſter mongomrie and Liveten: Co^{ll} halkheid^{s} troupes

. . . . . .

83 ACT and dec^{r} aganes Cap: alex^{r} Charter^{s}

. . . . . .

84 ORDOUR and warrand givin to Co^{rr} pitſcottie to putt inchbrakie and Gorthie to libertie

. . . . . .

85 ACT concerning W^{m} blair

. . . . . .

86 PROTECTIONE Dumbar of burgie

. . . . . .

87 ACT in favo^{r} of the L^{d} moncreiff, bathaiok & vther^{s} in perthſhyre

. . . . . .

88 ACT for delyverie of four engliſh priſoner^{s} to S^{r} Ro^{t} murrey

. . . . . .

VIII JUNII.

ACT In favours of Alex^{r} Erle of Eglintoun & Co^{ll} Ro^{t} Montgomrie his ſone

89 THE ESTAITTES of parliament now preſentlie convenit in the fyft ſeſſioun of the ſecound trienniall parliament Heaveing takin to thair conſideratioun The ſupplicatioun geivin in Be Alexander Earle of Eglintoune and Collonell Robert Montgomrie his ſone MAKAND mentioun That quhair The ſaid Alexander earle of Eglintoun wpon the laſt day of december J^{m} vj^{c} ffourtie four geires being aſſ^{n}ed To the ffyne Impoſed wpon The Earle of fforth in pairt of payment of the ſowmes of money dew to him be the publict was wpon the earneſt Intreattie and full aſſuirance geiven by parliament (of ſpeiddie and effectuall payment of the wholl ſowmes dew to him by the publict) Moved and Induced to ſuffer ane act of parliament pas in favoures of the Earles Kinghorne and Erroll preferring thame to the ſaid aſſ^{n}ement Notwithſtanding of the ſaid earle his richt ȝet nevertheles and of manie actes of parliament and Cõmittie of Eſtaittes ſince and of befoir grantit in the ſaid Alexander Earle of Eglintoune his favoures he heath beine altogidder fruſtrat and diſſapoynted of payment And heath never as ȝit receavit any ſatiſfactioune And the ſaid noble earle heaveing alſo adreſſed himſelff To the parliament in mairch J^{m} vj^{c} ffourtie nyne ȝeires THE Eſtaittes of parliament ffor payment and ſatiſfactioun of the foirſaides ſowmes Be thair act did ordaine The ſaid noble earle to be payed of The ſowme of Threttie thowſand ffour hundreth threeſcoir and ſexteine merkes As ane pairt of the ſowmes dew to him by the publict with the ãrent thairof ſince witſonday J^{m} vj^{c} ffourtie aucht ȝeires during the not payment thairof out of the firſt and reddieſt of any moneyes To be borrowed for the vſe of the publict And the ſaid noble earle ffinding that way alſo to prove ineffectuall Togidder with the ſaid Collonell Robert Montgomrie his ſone did thairefter alſo adres themſelffes To the Cõmittie of Eſtaittes ffor payment of the foirſaid^{s} ſowmes who by thair act of the dait the tuentie nynt day of Januar laſt did ordaine the ſaid^{s} ſupplicantes To be ſatiffied and payet out of the fynes of Lord Napper the Lairdes of Amiffeild and Cromlix as the moſt effectuall way that could be fund out at that tyme Althought thair was bot verrie ſmall appeirance of the ſaid Lord napper his contraventioun at that tyme And now ſeing the ſaid Lord Napper Is to be ffyned at this tyme ffor his acceſſioun to the lait Invaſioun of this kingdome And that the ſaid^{s} ſupplicantes hes richt thairto be the foirſaid act IT is thairfor the ſaidis ſupplicantes humble deſyre That the eſtaittes of parliament wald be pleaſed now in reſpect of thair lang lyeing out of the foir-

ſaidꝭ ſowmes And of the manie preceptis and actes of parliament which heath hitherto provin ineffectuall And to aſſne the ſaid noble earle To the foirſaid fyne And ordaine him pñtlie To be payed of the foirſaid ſowme of Threttie thowſand ffour hundreth thrieſcoir ſextein merkes with the ãrent thairof ſince witſonday J^m vj^c ffourtie aucht geires And in tyme cuming during the not payment of the ſaid principall ſoume out of the firſt and reddieſt thairof As alſo the ſaid Collonell Robert Montgomrie who hes richt thairto alſo may be payed of whatſoever ſowmes is dew to him by the publict And to ordaine the pro^rꝭ of eſtait to proſecuit the proces againſt the ſaidꝭ Lord Napper and the Lairdꝭ of Amiſſeild and Cromlix quhairby thair proces may be diſcuſſed and decernit And creaves that the actes and aſſnementis maid in thair favoures may be maid effectuall to the ſaides ſuplicantes As at mair lenth is contenit in the ſaid ſupplicatioun Quhilk ſuplicatioun and deſyre abowewr̃in being takin in conſideratioun be the ſaides eſtaittes of parliament THE ſaides Eſtaittes of parliament after reading and hearing of the ſaid ſuplicatioun RATIFIES and APPROVES the foirſaid aſſnement maid in favoures of the ſaid Alexander earle of Eglintoun and Collonell Robert Montgomrie his ſone be the Cõmittie of eſtaittes And ſicklyke the ſaides ESTAITTES of parliament REMITTES and RECOMENDES To the ſaid cõmittie of proces and ffynes To goe on with all exact diligence againſt the ſaidꝭ Lord Napper and the Lairdes of Cromlix and Amiſſeild ffor payment making of the foirſaides ſowmes of money prin^ll ãrent and expenſſ^t dew to the ſaid Alexander earle of Eglintoune As lykwayes for payment making To the ſaid Collonell Robert Montgomrie of what ſowmes of money he ſall inſtruct to be juſtlie reſtand awand to him And for moir ſpeiddie and effectuall payment of the foirſaidis ſowmes THE Eſtaittes of parliament geives power and warrand to the ſaides pro^rꝭ of Eſtaitt To intent actioun againes the ſaidꝭ Lord Napper and the Lairdes of Cromlix and Amiſſeild befoir the ſaid Cõmittie of proces and fynes And to proſecuit the ſãin with all exact diligence againſt thame To the effect the ſaidis ſuplicantes may be fullie ſatiſfiet of thair ſaidꝭ ſowmes as ſaid is.

. . . . . .

ACT In favours of Sr David Home of Wedderburne

90 THE ESTATES of Parlia^t Having takin to thair conſideration ane ſupplica^on gevin in be Sr David Home of Wedderburne k^t Beiring þ^t he had deburſit ſome moneyis for interteinment of the Iriſh forces wch w^t the ãrent þ^r of at merch 1649 did extend to two thowſand ſex hundreth and fourtie punds As alſo þ^t he had payed as his pairt of the 200000 Merkꝭ to S^r W^m dick Ane thowſand thrie hundreth threttie thrie punds ſex ſchillings aucht penneis w^t the ãrent þ^r of ſince mertimes 1647 Extending boith prin^ll and ãrent to Ane thowſand four hundreth and ſevintein punds And that the ſaidꝭ two ſowms doe extend in haill to four thowſand ane hundreth and ten punds As at mair lenth is contenit in the ſ^d ſupplica^on Q^lk togidder w^t the opinion of the comittie of billis to q^m the ſam wes referrit being takin in conſideration The ſaids eſtates of parlia^t Hes Ordanit and Ordanes the ſaid Sr David Home of Wetherburne to be payed of the ſaid ſoume of four thowſand ane hundreth and ten punds And þ^t out of the forfaultour of the Lord Naper his eſtate or any fyne to be impoiſed vpone him And the ſaids eſtates declaires þ^t þ^s pñt ordour and warrand ſhall nawayes preiudge the Erle of Eglentoun and Colonell Ro^t Mongomrie his ſone of the ſoums of mo^e dew to thame Bot þ^t notw^tſtanding heirof They and each of þ^m ſhall be firſt ſatiſfeit and fullie payed of the ſoums of money auchtand to thame conforme to thair former aſſeinmentis grantit in thair favours be the actis of the comittie of eſtates

. . . . . .

PROTESTA^ONE L/Buchannã aganes the tuo actꝭ forſaidꝭ

. . . . . .

PROTESTA^ONE L/advocatt aganes the L/buchannã ꝛ the former tuo actꝭ

. . . . . .

ACT in favo^rꝭ of the relict and childrein of m^r George gilleſpie 91

. . . . . .

WARRAND to the Livetenent ge^ll anent the quartering off troupis for a randevouſ to be had wpoun ſix hourꝭ 92

. . . . . .

ACT Ordaneing the troupes to be readie wpoun fyve dayes adverteiſment from the ge^ll muſtermaiſter and the foot wpoun ten dayes, To muſter wnder the paynes þ^r in ꝯtenit 93

. . . . . .

ORDOUR for quartering Maior Bryce Cochranes men in leith. 94

. . . . . .

COMISSIONE anent theiſ who ar licenciat to ſitt in pliament 95

. . . . . .

XI JUNII.

96 ACT in favo^r^ of Johne hamiltoun of mure-hous

97 ACT in favo^r^ of the L / Reidhous

98 ACT in favo^r^ of Simeon anderſone

99 ACT in favo^r^ of the ſhirefdome of Wigtoun & ſtuartrie of Kirkcudbright

XII JUNII.

100 ACT in favo^r^ of the poor priſoner^ſ^ in angier^ſ^

101 CITATIONE granted at the inſtance of the Counteſſ of Diriltoun

102 ACT in favo^r^ of Mr Harie fowles

103 REMITT Lilias ſympſon

104 PROTECTION Mr Ro^t^ Logan

105 ACT anent the quartering & pay^t^ of horſ and foot

106 ACT for liberation of Colonell Arthour forbes

107 LETTER frome the parlia^t^ to the Leivtennent gñall

108 WARRAND to the proveiſt & bailzeis of Ed^r^ to put 4 Ingliſh priſſoners to libertie

109 ACT anent the tyme q^n^ the troups wer firſt made vp & brocht to ane randeſvous

110 ACT in favours of M^r^ Ro^t^ ferq^r^

111 ACT ading the Lairds of Ceſnok & Kerſwall to the cõmittie of quarterings

ACT & de^r^ againes Alex^r^ Charters 112

XIV JUNII.

ACT anent thois foot þ^t^ comes to the toun of Leith 113

ACT in favours of M^r^ Ro^t^ ferq^r^ anent the excyſe begond tay 114

XV JUNII.

COMMISSION to the ſchirref of Tivydaill ꝓcerneing W^m^ falconer 115

ORDOUR for Alex^r^ Monro to go out of the cuntrie 116

ORDOUR for Valenus Swan Ro^t^ Touch & vthers to remove out of the cuntrie 117

ACT in favours of Walter quhytfoord Capitane Ro^t^ ſtirling 118

ACT anent Mr Androw ſandelands Mr James kid and M^r^ baldro anent putting of þ^m^ to libertie 119

PROTECTION grantit to certane of the name of M^c^Kenzie 120

XVIII JUNII.

REMITT to the comittie of proceſſ & fynes anent the foirſtaling of mercattis & carying of victuall furth of the kingdome 121

WARRAND to inferiour iudicatoreis to fitt notw^ſ^tanding of the fitting of parlia^t^ 122

ACT Joyning the comitteis of billis & overtours togidder 123

ACT in favours of Gilbert Kennedy of dungar 124

125 ORDOUR to my Lo / ſcottiſtarvett for keiping out of any infeftmentis p^t paſſ The names of thois quho ar debared from comeing to the cuntrie

.....

126 ACT adding Ceſnok & certan vthers to the comittie for the gñall comiſſars accomptis

.....

127 ACT & remitt in favours of Alex^r Jafray

.....

XIX JUNII.

128 ORDOUR gevin for carying of proviſion to the caſtle of ſtirling

.....

129 ORDOUR gevin to Sr Wm Dick to lay in certane meall in ſeverall places

.....

130 ACT anent quartering of the forces horſ & foot in the ſchyres

.....

131 ORDOUR to Sr James ſtewart & Sr Jo^n Smith to lay in meall in the caſtle of Ed^r

.....

132 ACT anent the Laird of Murtle

.....

XX JUNII.

133 ACT ꝓtinuing the monthlie maintenance for the month of Julij

[REPORT of the Committie of the Conference anent the removall of the troupes, and Inchgarvie, And the act of levie, furniſching of meill to Gariſones and proroging the maintenance for Julij

19 June 1650

THE Committee appointed for the Conference, according to the power granted them by the Parlia^t for diſpoſing of the preſent forces of the kingdome, as ſhould be moſt for the ſecurity thereof, Thought fitt that the ſeuerall troops Regiments, and Companyes ſhould be drawen together and layed in the particular Shyres reſve after ſpēit vīz That the Earle of Weymes troop Capt. Geo. Montgomry S^r Ja / hacket, L. Col. hacket, the laird of arnot, the Gen. Lieu^t troops, and the La / Lawers Regi^t of foot ſhould be brought to the Shyre of fyfe, That Lieut. Col. Bruce, Sr Tho. Narne, And the M^r of forbes troops ſhould be brought to the Shyre of Perth, That Col. Ker, Lieu^t. Col. ſtraquhan, Allanton, Ja / Carmichaell, and S^r Ro. Adairs troops ſhould be brought to the three nixt adjacent pariſhes of Nithſdal to the ſhyre of Lanerick, that Maior Lundy, Brody, and the Lo / Brechens troops ſhould be brought to the ſhyre of Lithgow, Sr Charl. erſkines troop to the ſhyre of Dunbarten, Col. erſkyn, and Craigdarrochs troops to Stirling ſhyre, The Laird of Echts troop to the three pariſhes of the Shyre of Angus lying nixt to the toune of perth The troop wch wes under the Cōmand of Capt. Arch. Scott to Lauderdale, to be quartered there by the advyce of the Comittee, That the Lo / Generall, Riccarton, and Inglistons troops, be drawen to Midlothian That Greenocks troop be drawen to Renſrew, and the parts thereof neereſt to Stirling-ſhyre, that the Lo / Cathcart, and Gadgirths troop be drawen to Kyll, and Cuningham, and the parts thereof neireſt to ſtirling, that the Lo / Chancello^r, Ormiſton, Swinton, Rutmaſter arbuthnot, and Col. Montgomryes troops be drawen to hadintonſhyre, That Cranſton of Glen, and Capt. Cranſtons troops be drawen to Peebles, that Col. Scott, and Leut. Col. ker of Newtons troops be drawen to Selkirk, That the Earle of Sutherlands foot be pñtly ordo^ned to come hither, That Col. Innes leaue 50 Men in Brahan, 20 in Ellendonald, 30 in the Boog, and 20 in Strathbogy, and 50 in Blair, and the remainder of that Regi^t to march hither That the Lo / Marq. Argile Regi^t be brought together out of their Guariſons, except 30 to be left in the Ruthven of badinoch and 20 in Inuerlocky, and 20 in Dowart Approves

AND the Cōmittee aforeſaid thought fitt that Notwithſtanding of the Removeall of the troops, Regi^ts, & Companyes in maner aforeſaid, yet they ſhould exact their maintenance out of their localityes, and diſcharge their quarters in the ſhyres where they are now to lye and pay their tranſient q^ters according to the Act of Parl. made in that behalf And that the troops Regiments, and Companyes bring with them at their liſting, and removeall out of their quarters the Mantenance of June and July And that the Collector give ordo^r to the ſubcollecto^r p^anent And becaus through the draweing together of the troops, & Companyes, and cloſe lyeing thereof in the ſeuerall ſhyres, Some parts of the ſhyres will be overburthened with locall quarters, The Cōmittee thought fitt, that ſuch places of the ſhyres as will be frie from locall quarters, ſhould be lyable to contribut to the eaſe of ſuch other parts of the ſhyres proportionably as bear the greater burthen of the locall quarters Approves

AS to the fortifieing of Inchgarvy remitted to the conſidera^on of the ſaid Cōmittee It is thought fitt, that two rait of men with a Serjeant belonging to gñall Major Houburnes reg^t ſhould be put in there for ſecuring the ſame, And that S^r Ja / hacket be Approves

appointed to ſie what is neceſſary for repairing the works thereof, And report, And that ten bolls of the 100 bolls of Meill to be furniſhed by Sir Will. dick to the Caſtle of Edr be carried thither, And that the Collectors of Lithgowſhyre furniſh entertainment to the ſaid two Rate of men, with the Serjeant, conſtantly, as if they were in their quarters, And that the Queinsferrie furniſh bedᶜ pottᶜ and panes And the proveiſt of Edr to cauſe furniſh furth of duke hammiltounes coal patt ten chalder of coallᶜ to be allowit to the proveiſt in his comptᶜ

THE Cōmittee did alſoe think fitt, that the Lo/ Angus be preſently ſent for, and ſpoken to, concerning his houſe of Tamtallon, how it may beſt be ſecured, And in the meane tyme to take care of the ſame

AND as to the preſent Leavy, The Cōmittee thinks fitt that the whole horſe, men, and Armes, and the foot appointed to be leavyed by the Act of Parliat of the 6t of Auguſt 1649 ſhall be brought to a Rendezvous at ſuch Places and againſt ſuch dayes, as ſhall be deſigned by the Parliat And there to be inrolled & liſted under their reſpective officerᶜ And thereafter to returne to remain with the outputters untill further ordors from the Parliat, or ſuch as they ſhall appoint provyded alwayes that it is not to be heirby underſtood that the Committie of Eſtaittᶜ ſhall have any power to give ordoᶜ to the ſdᶜ forces for bringing out of the ſhyres for any other endᶜ then theſe expreſt in the Narrative of the act And that the Cōmittees of warr in the ſeverall ſhyres haue the nomination of the officers, from the Collonells to the Lieutenents incluſive

Remittit to the bodies

Edr 20. Junij 1650
The Eſtaittᶜ of parliat Approves the articles above-w'ttin as they are marked on the Margin
BURGHLY: I: P: D: Parl:

Edr 20. Junij 1650
The Eſtaittᶜ of parliat prorogattᶜ the maintenance for the moneth of Julij As it wes payed for the moneth of Junij wt the exception of Galloway conforme to the act of parliat
BURGHLY: I: P: D: Parl:

Edr 21. Junij 1650
Red in parliat and approven wt the amendamentᶜ
BURGHLY I: P: D: Parl:]

. . . . . .

XXI JUNII.

134 ACT in favours of the Laird of Dundas & Maior Abernethie

. . . . . .

[PAPER from the Lieutenant-general.

BEING neceſſitated to be abſent from your lordſhipps, being about your reſolutions anent the kingdome's defence, I humbly crave leave to preſſe theſe following deſires:

1. THAT the danger being ſoe imminent, noe fewer horſe and foot nor is expreſt in the laſt act of leavy, be preſently raiſed out of the ſhires for the kingdome's defence.

2. FOUR reaſons are expreſſed againſt a preſent modelling or reducing of the army now in their lordſhipps ſervice.

3. THAT your lordſhipps would have a ſpeciall care in the ordering of your army, that the old troopes and regiments may by your new leavyes be compleated to 75 each troop, and 108 each regiment of foot, a mixture being better than to keep the new entirely by themſelves.

4. THAT the remainder of the new leavies, above the compleating of the number of horſe and foot above written, be formed in troopes and regiments; and by your lordſhipps election of your Officers, you may encourage the ſhires chearfully to putt out their ſeverall proportions.

5. THAT a regular and a ſpeedy courſe be taken for purging your army of all diſaffected and prophane perſons.

THESE my humble deſires proceed meerly from my affection to your ſervice, wherein I ſhall hazard life and fortune for the common cauſe, and againſt the invaſion of whatſoever.

21 June 1650
Read in parliament.]

. . . . . .

THREE Letters from the parliat to Wm 135
Lenthall the Lord Fairfax & Sr Arthour Haſelrig

[(1) FOR the Honorable William Lenthall Esquire speaker of the House of Commons in England

SIR,

THE Eſtates of the Parliament of this Kingdome remembring that they had written a Letter unto you the ſixt of March, 1649. by an expreſſe, with inſtructions for their Commiſſioners to be communicate to you, which did much concern the good & peace of theſe Kingdomes, And that they received one from you of 23. of May following, whereunto they returned their Anſwer upon the 26. of June,

1649. and therein did take notice that they had received no return to theirs of the fixth of March preceding, neither have they to this day received any anſwer to the ſame: And having intelligence of the marching of your forces towards this kingdome, and being alſo certainly informed that your ſhips have lately ſearched divers, and ſeized upon ſome of the ſhips with the perſons and goods therein belonging to this Nation. And conſidering how contrary theſe things are (where there has been no provocation or injury offered by the party) to the Act of Pacification in the large Treaty, which requires that no ſhips ſhould ſtop the trade of the other kingdome without conſent of Parliament declaring a breach of Peace, and if any wrong be done, that upon complaint and Remonſtrance made to the Parliament or their Commiſſioners, redreſſe and reparation ſhould be ſought before it be accompted a breach of Peace by the whole kingdom; And if either Parliament ſhould denounce Warre, that they ſhould give three moneths warning, They have therefore reſolved to ſend, as they doe herewith ſend unto you Authentick duplicates of all theſe four above mentioned papers, and to ſhew how that they keep the ſame Principles and Reſolves, ſtill to walk according to the ſame Rules. and grounds, and have no other intentions or reſolutions in relation to Peace or Warre in theſe Nations, then they did expreſſe at large in theſe papers, as is moſt fully ſet doun in their Letter of the fixth of March, and Inſtructions ſent therewith to their Commiſſioners then in England; wherein as they did on their part both acknowledge their Obligation, and declare their reſolution to obſerve the rule of remonſtrating; firſt the breaches of Peace; of craving juſt reparation; of uſing all fair means; of giving a preceding warning of three months before any Engagement of theſe kingdoms in War, ſo they do now renew the ſame, and accordingly have renewed the Acts of Poſture and Leavie, for putting the forces of this Kingdome in readineſſe in caſe of Invaſion, which were made the laſt yeer when they wrot the forefaid letter of the fixth of March; All which they doe ſolemnly profeſſe to be done by them in the ſincerity of their hearts, not out of any Policy to catch advantages for any other end or deſigne whatſoever, but meerly for their own defence, which they do accompt abundantly ſufficient to remove all grounds of jealouſies and miſreports of their Intentions, and to take away all pretence of neceſsity of the marching of your forces for defence of the Borders of England; wherefore on the other part, the Parliament being informed of a reſolution in England to ſend an Army to invade this kingdome, They deſire to know from you whether thoſe who have the preſent power in England, doe acknowledge themſelves obliged, or by their anſwer will oblige themſelves, and declare their reſolutions to obſerve the foreſaid way and order upon their part to us, & plainly and clearly to declare unto us whether their forces do march for defence or offence; whether with Intention for keeping only within the Borders of England, or coming within ours; which way of procedour in clearing each others, and dealing plainly, is not only agreeable to particular Treaties, and to the many Tyes, Bonds, and Declarations paſt betwixt theſe kingdomes, but alſo to the law of God and practice of his people in his word, and to the common law & practice, even of heathen Nations, much more of Chriſtian Covenanted Kingdomes, and may prevent many evils and dangerous conſequences which may fall out, even beyond, and contrary to the intentions of Nations by their Armies lying near other upon their Borders, although upon meerly intended defence. Having thus cleared their intentions, and deſired to be cleared touching yours; They further deſire to let you know, that as Jephta and Iſrael ſent the like meſſage to the Ammonites, 11 Judges 12. and 27. ſo they reſt confident that the Covenanted God of theſe kingdomes, who did take order with thoſe of this Nation, who did unlawfully engage againſt England, in 1648. doth ſtill live and reign, and will bring ſhame and ruine upon whatſoever party in either of theſe Nations, that without a neceſſary cauſe, and cleer calling, and without obſervance of the ſaid rule and order of ſeeking firſt reparation, and giving warning as aforeſaid, ſhall offend and invade the other Nation: They further deſire, that with this bearer who is ſent expreſſe, an anſwer may be returned to this, and to the incloſed papers formerly ſent unto you, and that the ſubjects of this Nation, with their ſhips and goods, may be preſently relieved, and diſmiſſed; This being all I have in Command to repreſent to you from the Parliament of this kingdome, I reſt,

Your humble Servant,

Edſh 21 Junii 1650.

The eſtates of parliament approves the letter above written.

BURGHLY, I. P. D. Parl.]

. . . . . .

[(2) FOR his Excellencie the Lord Fairfax, Lord General, Lieutenant General Cromwell, or any other Commanding in Chieff the English Forces.

My Lord,

THE eſtates of parliament of this kingdome haveing intelligence of the marching of your forces towards their borders, and being informed that Engliſh ſhipps have ſeized on ſome ſhipps, with the perſons and goods belonging to this kingdome; and conſidering that the large treaty requires three moneths warning before denouncing warre, they have writt to Mr. William Lenthall, Eſquire,

ſpeaker of the houſe of commons, and ſhew to your Lordſhipp that they reſolve to obſerve that rule, of giveing three moneths warning before any engagement of theſe kingdomes in warre; and they deſire to know if your Lordſhipp and thoſe under your command are reſolved to obſerve the foreſaid rule on your part to us; and that your Lordſhipp would declare unto us whither your march be for defence or offence, whither with intention to keepe within the borders of England, or to come within ours. Haveing cleared their intentions, they deſire to be cleared of yours, being perſwaded God's juſtice will purſue thoſe of either nation by whom an unjuſt invaſion ſhall be made. This being all I have in command from the parliament of this kingdome to ſay, I reſt

Your Ex. humble ſervant.

Edgh. 21 Junii 1650.

The eſtates of parliament approves the letter above written.

BURGHLY. I. P. D. Parl.]

. . . . . .

[(3) FOR the Honorable Sir Arthur Haſelrige, Governor of Newcaſtle.

Much honnored Sir,

THE eſtates of parliament of this kingdome haveing intelligence that Engliſh ſhipps have ſearched and ſeiſed divers ſhipps, with the perſones and goods therein, belonging to this kingdome, and carryed them into Newcaſtle and Berwicke, where you command; and conſidering how contrary theſe things are (noe injury haveing been offered by the partye) to the act of pacification in the large treaty, which requires, that no ſhipp ſhould ſtopp the trade of the other kingdome without conſent of parliament declaring a breach of peace, &c. and if either parliament denounce warr, that they ſhall give three moneths warning. And they have written to Mr. William Lenthall, Eſq; ſpeaker of the houſe of commons, ſo they have reſolved to write to you, that the ſhipps and goods ſeiſed may be releaſed, and like inconveniences prevented for tyme comeing; to which they expect your anſwer. This is all I have in command from the parliament of this kingdome to ſay, and I reſt

Your humble ſervant.

Edgh. 21 June 1650.

The eſtates of parliament approves the letter above written.]

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186 ACT in favours of the Laird of Affint & Miſtris gilleſpie

. . . . . .

ACT in favours of Jonet Rotſone 137

. . . . . .

ACT of tutorie in favours of the Erle of Caithnes 138

. . . . . .

ACT in favours of the Laird of Cambo 139

. . . . . .

COMMISSION for purgeing of the Armie.

THE Eſtaittes of parliat Conſiddering the manifold evills both of ſinn and puniſhment wtwith this Land hes bein afflicted By reaſon of the malignant Inſolencies and profanitie of many in or armies And calling to mynd That they have maid a ſolemne confeſſion and acknowledgt unto God ypof as one of the publict ſines of the Land And that they have ingadged themſelfs for purging of judicatories and armies And In truſting and imploying none bot ſuch as ar of knowen guid affection And to the effect that none be ſufferit to abyd in the armie who ar of a profane malignant and ſcandalous cariadge; Having therfore according to their vowes and for removing and preventing all dangers or inconveniencies that may fall out therby And for remedieing and releiving the exorbitant burdeines and oppreſſiounes of the cuntrey becauſe of ſuch men's inſolencies Thought neceſſarie to grant pouer and Commiſſion to ſome conſcientious & weilaffected perſounes for taking tryall of the cariadge and qualification of the officerꝭ and ſojorꝭ of the ſeverall regimentꝭ troupes of horſe and companies of foott that ar now ſtanding or ſhall heirafter be levied win this kingdome of Scottland And for ordering and directing the caſhiering or vtherwayes puniſhing of them As they after tryall ſhall find yr miſcariadge to deſerve. And for that effect The Eſtaittꝭ of parliat Grants Commiſſion warrand and pouer to

or any fyve of them as a quorum

And the quorum to be promiſcuous To meitt and give yr oath de fideli adminiſtratione and tak all maner of tryall of the cariadge and qualification of the haill officerꝭ & ſouldierꝭ of the ſeverall regimentꝭ troupes of horſe and companies of foott of the forces now ſtanding and wch ſhall be heirafter levied win this kingdome of Scotland And the ſdꝭ Eſtaittꝭ of parliat doe heirby give & grant als full pouer and Commiſſion to the foirſaids perſounes or yr quorum As the Committies of purging had from the parliat Committie of Eſtaittꝭ or the armie at any tyme heirtofore With full pouer to them or their quorum foirſd to call before ym whatſomevir perſounes they think fitt for yr bettir information As lykwyſe to remove from all place & imployt in the armie as unfitt for the ſervice In the faireſt way they judge fitt or elſe by yr act or ſentence all ſuch perſounes

whom in their conſcience they think (after their knowledge and beſt information ſought and gotten concerning them w'out being tyed to any forme of proces the partie being heard at leiſt called or advertiſed to be preſent and ſome convenient tyme being given him for that effect) faultie of any of the faults mentioned in the 11. act of parlia' vpon the 21. of Junij 1649. Or whom they find to be unqualified according to the qualificatiounes requyred in o' ſolemne acknowledg' & Ingadg' at the renueing of o' covenant And according to the 26. act of parlia' 17. febr' 1649. for keiping of places of truſt frie of corruption Or all thoſe whom In the preſence of God they dare not and wold not chuſe and intruſt w' the ſaiſtie of thair oune perſounes Eſtaitt& and families As unfitt to be truſted w' the defence of Gods cauſe intereſt and people, To ſhew as evrie one of them wold doe for themſelfs ſo in Gods preſence they will doe in this wch concernes his cov' & Intereſt & his church & ſtate ſo much And farder w' full pouer to them or þ' quorum foirſ' to follow out all the wayes of tryall taken be the former committies for purging and all other wayes of knowledge and beſt information they can find out w'out being tyed to any forme of proces as may beſt ſatiffie their oune conſciences And may evidence that they walk not upon principles of Intereſt& of feid or favo' to perſounes or ar led by ſolicitatiounes or paſſiounes in this great buſſines bot mearlie out of conſcience of this their dutie and truſt And ſiclyk the f'& Eſtaitt& of parlia' give & grant to the foirſ'& perſounes or þ' quorum full pouer and commiſſioun To fill the places that ar vacand alreddie or ſhall be made vacand by them w' qualified perſounes as is afoirſ' In maner following vi3 The Colonell& place w' advyſe and conſent of the Committie of Eſtaitt&; The Leiv' Collonell, Major, Rutemaſter and Capitanes places After advyſe had fra the Gñall, Leiv' Gñall, and gñall Major, and from their reſpective colonell&; The officer& under rutemaſter& and capitanes þ' places after advyſe had from þ' reſpective Colonell and Rutemaſter or Capitan w' the ſame can convenientlie be had w' pouer lykwyſe to them or þ' quorum foirſ' To give the lyk certification to the officer& who ſhall not according to their directiounes purge out under them theſe who ar faultie as afoirſ' As the former Committie appoynted for purging did give, And to execute the ſame and the other certificatunes given in the act& of parlia' againſt the tranſgreſſing officer&. And farder p̃tlie not onlie to remove all ſuch perſounes who have bein by the former or ſhall be purged out by this Commiſſion from þ' reſpective charges And To fill þ' places as afoirſ' bot alſo peremptorlie To inhibit & diſcharge all ſuch perſounes purged as ſaid is from marching or quartering w' the armie upon any pretext whatſoevir And The f'& Eſtaitt& of parlia' declaires That this p̃tt pouer and Commiſſion doeth not extend to the Gñall officer& of the armie And ordaines this commiſſion to endure till the nixt ſeſſion of parlia' And longer till it be recalled be warrand of parlia'.

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XXII JUNII.

ORDOUR for Co' Gray and Cap. Jonſtoun to go to England w' the letteris from the parliament 141

. . . . . .

ORDOUR for the L/nidderie, to tak courſ' for ſending away the letter& w' ane ordo' for repayment of his ſuperexpenſ' & c' 142

. . . . . .

ACT Continewing the E/ of Levin Lord Generall his excellencie in his charge 143

. . . . . .

ACT in favo'& of Maior weir 144

. . . . . .

ACT declaring that non of the officiar& of the armie ſhall be wpone the Comittee for purgeing the armie 145

. . . . . .

ACT adding certane pſones to the Comittee for þe conference 146

. . . . . .

XXIV JUNII.

LIST of Rootmaiſteris & Captanes of the Levie 147

. . . . . .

WARRAND givin to the Liveten. ge'. to leave a troup in the north for tranſporting the vicount of frendraucht 148

. . . . . .

XXV JUNII.

COMMISSIONE granted for doeing Juſtice wpon W'm fraſ' 149

. . . . . .

ACT for a Leavie of Horſe and Foot within this Kingdom, for their neceſſary Defence.

THE Eſtates of Parliament having conſidered the dangerous poſture of affaires in this Kingdome, both in reſpect of' inteſtine and forraigne enemies, And although it hes pleaſed God, to breake the power of malignants in this Kingdome, Yet know- 150

ing that they will be unceſſant in their deſignes and attempts in laying hold of all opportunities to involve this Kingdome in new troubles, And withall, having received ſeverall intelligences of imminent dangers to the cauſe and this Nation from abroad by approaching of an armie of Sectaries towards this Kingdom. And being obliged in diſcharge of the truſt Committed to them to take care of the ſafetie of the Nation, As they reſolve for themſelves to uſe all lawfull means and peaceble wayes to prevent the dangers, ſo they have thought fit to give warning to the ſeverall ſhires and burghs, That according to the law of God, nature and nations, and according to the duties which they by ſo many ſacred bonds owe to the Covenant and cauſe, to the King and Kingdom, they might be in a condition and poſture for defending all thoſe and whatſoever is neer and dear to them againſt all invaſion. Likeas for the ſtopping of the mouth of Calumnie removing all ſcrouples and miſtakes, and clearing to the conſciences of all the lawfulneſſe, neceſſitie and juſtice of their reſolutions & proceedings, & that they may have the greater aſſurance of Gods bleſſing and preſence to all their indevores, The Eſtates of Parliament declare and aſsure that they injoyne the following levy of horſe and foot for this end allanerlie of meer, juſt and neceſſary defence of this Kingdom from invaſion, without any deſigne or intention of invading, any who ſhal not firſt invade this Kingdome; And therefore the ſaids Eſtates of Parliament doe hereby ordain the whole ſhyres and burghes within this Kingdome preſently to raiſe and have in readineſſe the whole number of horſe, men, and armes, and the foot appointed to be levied by the act of Parliament of the 6 day of Auguſt, 1649. Together with what was not put forth of the third part of the horſe & fourt part of the foot, conform to the act of levie of the 28. day of Febr. 1649. And ſiclike the hail Burrows of this Kingdom to raiſe & have in readines the proportion of horſe according to the ſaid act of the 28. of February 1649. So far as alreadie is not put forth by them, Or in their option three Foot for every horſe & man, & that according to the Act 6. of Auguſt. 1649. For the preſent levie; all which are ſet down in the liſt hereunto ſubjoyned. And ordaines the forces foreſaid To be brought to Randevoweſes againſt ſuch dayes as are deſigned by the Parliament by a particular Act of the date of thir preſents herewith ſent, and that at ſuch a convenient place within the Shire as the Committee of war, with adviſe of the officers ſhal think fit, And appoints them at that time and place to be inrolled and liſted under their reſpective officers, And either to march if they ſhal receive orders, or to returne to remain with their out-putters incaſe they receive not orders from the Parliament or their Committee; Providing alwayes, that it is not hereby to be underſtood that the Committee of Eſtates ſhall have any power to give orders to the ſaid forces for bringing them forth of the ſhires for any other ends then for the juſt and neceſſarie defence of this Kingdome from invaſion as is expreſt in the narrative of this Act. And the ſaids Eſtates of Parliament ordains everie troup to conſiſt of 75. Troupers, and every regiment of horſe to be made up of 6. troupes at leaſt, and 8. Troups at moſt, ſicklike every companie of foot to conſiſt of 126 ſouldiers, and every regiment of foot to be made up of 8. companies, And likewiſe they ordaine the preſent ſtanding troupes be recruited and made up to the number of 75. in every troup out of the number of horſes to be now levyed forth of the ſeverall ſhyres reſpective, and theſe recruites not to be brought forth of the ſhires til there be a neceſſitie of bringing forth the new levy foreſaid, according to this preſent Act, And ſicklike that theſe recrutes be diſmiſsed with the new Leavie, when the ſame ſhall be diſmiſsed; And farther, the ſaids Eſtates of Parliament declare they will nominate and appoint the officers of regiments, troups and companies from a Collonell to a Captain incluſive without prejudice to the Committes of ſhires in time coming anent any power whatſomever granted to them for nomination of their own rootmaſters conforme to any preceding acts of levie, and do give power and warrant to the Committees of War of the ſeverall ſhyres with adviſe of the Collonels reſpective, according to their ſeverall diviſions if they be preſent to nominat and appoint the officers inferior to a Captain, and to the Magiſtrates and Counſels of Burghes to make choyſe of their officers under the degree of a Captain according to the proportions to be put forth by them, Providing alwayes they make choiſe of ſuch as are fit for the ſervice, and are qualified as is expreſt in the 26. Act ſeventeenth of February, 1649. which ordains that ſuch as are malignant and diſaffected to the preſent work of reformation, and Covenants, and againſt whom there is juſt cauſe of Exception or juſt ground of jealouſie becauſe of their diſaffection, or any perſon given to Drunkennes, Swearing, Uncleanes, or any other Scandalous offence, Be not made choyſe of, but only able men, and ſuch who are of known affection unto, & approved fidelitie and integritie in the cauſe of God, & of a blameles and Chriſtian Converſation. And ordaines the ſaids Committees of Warr and Counſells of Burghes, after they have made choyſe of their under officers, to return a roll of their names to the Committee appointed for purging the armie, before the day of their randezvows. And gives power to the Committees of War and Counſells of Burghs within their ſeverall Juriſdictions reſpective, To divide and lay on proportionally the horſe according to the maintenance upon the ſeverall heritors and others lyable in putting forth the ſame; And It is declared That the greateſt rent of theſe to be joyned for making up one horſe ſhall provide the horſe, And the reſt that joyne, to contribute according to

one hundereth and threeſcore pounds for ilk horſe and man, With power alſo to the Committees of Warr of the ſeverall Shires reſpective, to ſet prices upon horſes fit for the ſervice, And to take them as they ſhall find neceſſarie for the good of the ſame, And Sicklyke appoints the heritors and others lyable in putting forth horſe and Foot, to bring them to the Randezvous well mounted and armed under the paine of 200. merks for ilk horſe & man, and 100. Merks for ilk Footman. To be payed by the heritors & others failing to bring ſufficient horſe, men and armes reſpective to the randezvows as ſaid is, To be exacted by the ſelect perſons nominate in the ſeverall Shyres for viewing of the horſe and armes; And this penaltie to be exacted by and attour the putting forth of the horſe, men and armes as is afforeſaid; And incaſe of their return from the Randezvous, appoints the Committees of War of the ſeverall Shyres to take the particular heritors and others lyable in putting forth Horſe and Foot obliged for having them in reddineſſe within 24. houres after advertiſment from the Parliament or Committee of Eſtates, under the pain aforeſaid, And appoints the counſels of Burghs to take the out-putters within brughs, obliged in the like manner under the ſame paine. And further the ſaids Eſtates upon conſideration of the great abuſes in former levies committed by officers in taking of money from the heritors & others aforeſaid who are lyable in putting forth of horſe-men and foot in place of their ſaid men, Declare That whatſoever officer ſhall be found to have done ſo, ſhall not only be caſhiered from his charge, but alſo branded with ane mark of infamie and diſgrace, and ſhal be obliged to repay the quadruple, & to be impriſoned ay and while he pay the ſame, Excepting ſuch officers who are to Levie their horſemen in the Shyres beyond Spey, who are hereby permitted to take 200. pounds for every horſe and man, or the man well mounted in the option of the outputter; Providing The ſaid Officers make up their number of good ſufficient able horſe and men at the day of Randezvows appointed for the ſaid Shyres beyond Spey, as ſaid is. And the ſaids Eſtates of Parliament doe give power to the ſaids Committees of War in the ſeveral ſhyres of this Kingdome with advice of the Colonells To doe all things conform to the former acts of Levies as they ſhall finde neceſſary for the more ſpeedy and effectuall raiſing and having in readines at the Randezvous, the Horſe and foot abovewritten, And appoints the ſaids Committees, after the receipt of this act, to ſit continually & every day till they execute the ſame, And return immediatly an accompt of their deligence to the Parliament or Committee of Eſtates, With power to them to fine thoſe of their number who ſhall be abſent in 20. Merks Scots for every dayes abſence.

. . . . . .

ACT for putting the act of Levie in execu^one in the ſeverall ſhyres

THE estats of Parl^t apoynts 151
to goe with all possible speed to the shyre of and deliver to or any on of them the act of levee with the list of the forces to be putt out by that shyre & requyre imediatly befor tuo witneſses or vther of them that they presently conveyne the Comittee of warre in the shyre & intimat to them that they sitt continually vntil they execut the sayd act & that they apoynt & cause keip the rendevous of the shyre within ten dayes after the delyvery of the act to any of the perſons aforsayd lykas they apoynt the sayd to returne to the parl^t or comittee an account of his diligence and they also requyres the person to whom he delyvered the act to returne to the parl^t or Comittee of estaits an accompt of his diligence & of the procedure of the Committee And further the estats of parl^t doeth heirby give special pouer & trust to in shyre to taik special caire that the men to be putt forth both for horse & foote be aible & vigorous men fitt for that service & furnished with sufficient airmes & that the horse be good & sufficient & that thes who shal not furnish men horse & airmes sufficient in their Jugment (in presence of on of the officers) for the service shall be lyable to the penalty conteaned in the act of levie

Ed^r 25. Junii 1650.
Red in parlia^t & approven
BURGHLY I. P. D. Parl.

. . . . . .

ACT of the Committee of war in the ſtewartrie of kirkcudbright 152

. . . . . .

ORDOURS gevin to the Lo / ſynclars factours to furneis coillis to the caſtle of Ed^r 153

. . . . . .

ACT adiurneing the fitting of the ſeſſion to the firſt of November 154

. . . . . .

ACT anent the delyverie of the Lady Lus hir chartour kiſt

THE Eſtaites of Parliament Taking to þair conſideratioun The ſupplication given in to them Be Dam Margrat balzie Ladie Lus and Sr Johne Colquhoone of Lus knight hir ſpous for his entres Schewing That q^t hir chairto^r kiſt of þe eſtaite of Lochend Is for þe p̃tt in þe hands of Dame Margrat Hamiltoun contes of Hartfeild hir grandmoþ^r and of James Earle of Hartfeild hir ſpous or William 155

bailzie of Lethan or Sr Patrike Hamiltoune of Litle preſtoune hir tuto^r^ teſtamentares now on lyffe And albeit ſchoe and hir f^d^ ſpous hes neceſſ^r^lie to doe with þe f^d^ charto^r^ kiſt ȝitt they refuiſe to delyver without they be compellit Humblie þairfoir beſeitching þe ſaids Eſtaites of Parliament To give warrand to ſeit þe forſaids perſones To compeir befoir them To heir and ſie þem decernit to delyver to þe f^d^ ſupplicant hir f^d^ chairto^r^ kiſt Att þe leiſt to hir f^d^ ſpous vpon Inventar And his diſcharge granting þe recept of þe ſamyne Q^r^by hee ſallbe obleiſt to make þe ſamyne furthcumand to all pairties Haveing Intereſt Quhilk ſupplicatioun being takin vnto conſideratioun and þe f^d^ haill perſones defendares being all laũlie ſumond be ane meſſ^r^ of airmes To heir and ſie þe deſyre of þe ſaid ſupplicatioun grantit And þe f^d^ Sr Johne Colquhoone of Lus knight for himſelffe and his Ladie Compeirand perſonallie Compeired lykwayes perſo^lie^ þe f^d^ E / of Hartfeild for himſelffe his Ladie and þe remanent defendares being p̃ũtt alſo perſonallie The ſaid eſtaites Ordaines þe f^d^ charto^r^ kiſt with þe haill evidentes within þe ſamene to be Inventared & being Inventared Ordaines þe ſaid Charto^r^ kiſt & evidentes to be delyverit to þe f^d^ Sr Johne Colquhoone of Lus for himſelffe and his f^d^ Laidie vpon his diſcharge to be grantit to þe E / of Hartfeild & his f^d^ Laidie & remanent tuto^r^ vpon þe recept þairof The f^d^ Sir Johne obleidging himſelffe þ^r^in To make þe ſaid haill evidentes furthcumand to all pairties having intereſt þairto as accords of þe Law, And þe ſ^ds^ Eſtaites of Parliãt declaires þis p̃ũtt act to be ane ſufficient exonera^o^n to all þe forſ^ds^ pairties called anent þe delyverie of þe forſ^ds^ Charto^r^ kiſt and haill evidentes þ^r^inconteinit.

ACT anent the delyverie of the evidentis of Mugdock to the Marquis of Argyle

156 THE Eſtaites of Par^t^ now taking to thair conſidera^o^ne ane Supplica^o^ne given in to them, be Archibald Lord Marques of Argyll Shewing That q^r^ the ſaid ſupplicant, Hes right to the land^e^ and Barronie of Neillſtowne of old called Mugdok, and of certan vther land^e^ lyand þairto, and teind^e^ þairof, And thairfor It is neceſſar for the ſaid ſupplicant to haue the old wreitis þairof, Quhilk^e^ are in the hand^e^ cuſtodie and keiping of the Erle of Tillibardin, The Laird of ſintrie, Mr James Grahme of Monorgan and the laird of Inchbreakie elder, And þairfor ſupplicating that the ſaid^e^ Eſtait^e^ of parliament wald grant warrant for to compell any haueris of the ſaid^e^ wreit^e^, To delyuer the ſame to the ſaid ſupplicant As at mair lenth is contined in the ſaid ſupplica^o^ne, Quhilk being takin in conſidderatione be the ſaidis Eſtait^e^ of parliament, They haue ordeined & ordeines ane maiſſo^r^ or meſſinger of Armis To ſumond warne and chairge the perſones abone^ſ^pẽit, Haueris of the wreit^e^ & evidentis forſaid^e^, To compeir befor the ſaid^e^ Eſtait^e^ of par^t^, or thair Cõmittee within ſix dayis efter they be ſumond w^t^ ꝓtin^o^ne of dayes Bringand with them and exhibitand the ſaid^e^ wreit^e^ & evident^e^ And to heir and ſie the ſame decerned to be delyuered to the ſaid Archibald Lord Marques of Argyll, Or vtherwayis in the optione of þe ſaid^e^ p̃ſones de^r^ Ordanes them to delyuer to þe f^d^ L / M / þe f^d^ haill wreit^e^ and evidentis of the ſaid^e^ land^e^ barronie & vther^e^ lyand as ſaid is, Togither with the right of the land^e^ þ^r^of, haill in themſelluis wnvitiat, cancelat or deſtroyed, to be keepit and vſed be him as his owne proper evident^e^ in all tyme coming And the ſaid^e^ Eſtait^e^ of par^t^ Declaires That if þe ſaid^e^ perſones de^r^ ſhall happin to delyver the f^d^ wreatt^e^ w^t^out further hearing that then thir p̃ũttis ſhall be ane ſufficient warrant to the ſaid^e^ pairties hauer^e^ of the ſaid^e^ wreit^e^ for thair exoneratione anent the delyuerie þairof to the ſaid Marques of Argyll in all tyme coming At the hand^e^ of all pairties hauand entreſs þairto

. . . . . .

PROTECTION to George Hay of Murie- 157
fauld

. . . . . .

XXVI JUNII.

ACT diſchargeing the tranſporting of horſ 158
foorth of this cuntrie

. . . . . .

ACT reponing Capitane William Ballantyne to his charge

THE Eſtates of parliat^t^ Taking to thair conſidera^o^un 159
ane ſupplica^o^un gevin in to thame be Capitane William Ballantyne Schewing That q^r^ vpone a moſt falſ^e^ and calumnius Informatione gevin in againes the ſaid ſupplicant by a number of pervers malignantis whome he had purged out of his excellence troupe for malignancie and prophanitie, He wes ſequeſtrat frome his charge Beſyde and w^t^out the knowlege of the comittie of purgeing And having obtened ane ordour in Aprile laſt frome the comittie of eſtates for his repoſitione To the exerciſe of his former charge ȝitt notw^t^ſtanding He hes not as ȝitt bein reſtoired according to the comitteis ordour Humblie thairfore craiveing that the ſaids Eſtates of parliat^t^ wold be pleaſed to interpois thair auctie for the making effectuall of the foreſd [ordour] As Att mair lenth is contenit in the ſaid ſupplica^o^un Q^lk^ being takin in conſideratione be the ſaids eſtates They have reponit and be thir p̃ũtis reponis the ſaid Capitane William Ballantyne To the exerciſe of his former charge according to the former ordour of the comittie of eſtates and deſyre of the ſaid ſupplica^o^un in all poyntis And hes Ordaned and ordanes him to continew in his ſaid former charge And to enter thairto prefentlie, Notw^t^ſtanding of any act of ſequeſtra^o^un, ſequeſtrating him frae the ſame formerlie.

160 COMMISSION for doeing iuſtice vpone George drūmond

. . . . . .

161 REMITT Miſtris Anna Lyone To the comittie for the exchecker

. . . . . .

162 REMITT of the ſupplica^on of the comiſſionars of the ſchyre of Aberdein To the comittie of war of the ſamen ſchyre

. . . . . .

163 LETTER frome the parlia^t to the eſtates of Vinneis

. . . . . .

164 ACT anent the pay^t of four ſcore thowſand Merk^s be the burrowes

. . . . . .

XXVII JUNII.

165 LETTER frome the parlia^t to the king of France anent the new impoſition vpone the ſalmond & herring

. . . . . .

166 LIST of horſ & foot of the Levie

. . . . . .

XXVIII JUNII.

167 ORDOUR concerneing the lift of the horſ of the ſtewartrie of Kircudburgh

. . . . . .

168 LICENCE grantit to Walter quhytfoord & gray & Swan to remain in the cuntrie fyftein dayes efter the tyme appoyntit for thair removeall

. . . . . .

169 ACT in favours of the laird of buchannan

. . . . . .

170 ACT in favours of the laird of Affint

. . . . . .

171 RECOMMENDA^OUN in favours of the proveiſt of Ed^r to the comittie of fynes & forfaultours

. . . . . .

172 RECOMMENDA^ON in favours of the comiſſionars of Ros & remanent gentilmen quho wer at the fight & did oppois James grahame To the comittie of fynes

. . . . . .

173 ACT in favours of Lowes

. . . . . .

[REPORT from the Committee of Conference.

27 Junii 1650.

THE committee appointed for conference with the commiſſioners from the church thought it meet, that ſome perſons ſhould be ſent to congratulate his Majeſties happy arrivall into this kingdome. And to ſhew his Majeſtie how glad his people were to heare that it has pleaſed God to move his heart to give ſatisfaction to their deſires, and that it would be very acceptable to them, that to teſtify his reality therein he would likewiſe forſake and abandon the company of malignants; and that his domeſtick ſervants, and ſuch as are about him might be well affected to the cauſe and not malignant; and ſuch as are otherwiſe, be removed and put from about him, but in a fair and diſcreet way.

AND having conſidered the liſt of his Majeſties ſervants and others of the train ſo farr as it come to their knowledge, the committee aforeſaid thought it fitt and neceſſary that the perſons after following, viz. the Duke of Hamilton, the Duke of Buckingham, the Earle Forth, Lauderdale, Sir Robert Dalzell, L. Sinclair, Doctor Frazer, L. Wilmott, L. Wentworth, Secretary Long, Mr. Uder, Earle of Cleveland, Mr. Seymor, Viſcount Grandiſon, Mr. Progers, L. Withrington, Mr. Rogers, Sir Philip Muſgrave, Col. Darſy, Col. Gray, Col. Boynton, Major Jackſon, Dr. Goff, Mr. Harding, corrupt chaplaines, and Sir Edward Walker, ſhould forthwith remove themſelves and depart out of the kingdome; and ſuch alſo as have ſerved in armes againſt the cauſe, and been evill inſtruments, and given bad counſell to his Majeſties late father and himſelfe; and likewiſe ſuch others as upon information from our commiſſioners ſhall be thought fitt to be removed.

Edinburgh, 28 Junii 1650.

This article approven, and all the perſones names ordained to ſtand and appointed to be inſert in the inſtructions to be ſent with the commiſſioners.

And the committee thought alſo fitt in the election of the officers of the army ſpeciall care be taken none be made choice of but ſuch in whome the kingdome may confide, and that a committee be appointed to make up a liſt of ſuch officers as ſhall be well qualifyed and deſerve truſt in the publique ſervice; and that the purging of the army be proſecuted ſpeedily and effectually, and the committee appointed for that effect be preſently nominated.

And conſidering how neceſſary it is for ſecurity of the kingdome that the towne of Leith be forti-

fied with all ſpeed, the committee aforeſaid thinkes fitt that the country people in the places and pariſhes adjacent, within 12 miles about Edinburgh and Leith; the towns of Lithgow and Hadington being includit, as likewiſe the ſaid towne of Edinburgh; and the ſoldiers that were formerly appointed for theſe workes, ſhould ſpeedily repaire thither with materialls, and effectually goe about the compleating of the workes; and for the better accelerating and perfitting thereof, that the workes ſhould be diſtributed amongſt them, and ſeveral places deſigned to the pariſhes and companyes for makeing up their parts of the workes, and that a ſelect committee be appointed to ſee this orderly, ſpeedily, and effectually done, and declares that the ſoldiers ſhall worke every day, they getting their owne ordinary pay allanerly.

Edinburgh, 28 Junii.

The parliament for the firſt article ordaynes that two of every eſtaite ſhall be ſent to his Majeſtie.

For the ſecond article, that it bee repreſented in a faire way to his majeſtie, that the Scottiſh noblemen, gentry, and others conteined in the laſt act of parliament, be forthwith removed out of the kingdome, without prejudice, to proceed further againſt them as accords with the law; and that all other Scottiſh men not ſpecifyed in the act of parliament, and yet men mentionate in this article, be preſently removed furth of the kingdome, and that ſome troopes be appointed to attend the commiſſioners in putting theſe orders in execution.

And as concerning the Engliſh mentionate in this article, ordaines the commiſſioners to repreſent to his Majeſtie in a faire way, that the Engliſh noblemen, gentlemen, and others ſpecified in this article, be preſently removed out of this kingdome; and that this alſo be intimate to the perſones themſelves, declairing to them, that this kingdome will give them noe protectione; and therefore that they remove themſelves forth of this kingdome within eight dayes after intimation hereof made to them, or publiſhed at the mercat croſſes of Edinburgh and Aberdein, otherwayes the eſtaits of this kingdome will ſeiſe upon their perſones and diſpoſe upon them as they ſhall thinke fitt; and that in the meane tyme they remove themſelves from the verge of the court, and not be permitted to have acceſſe to his Majeſtie.

Edinburgh, 28 Junii 1650.

Red in parliament and approven.

LOUDOUN Cancell^r I. P. D. P.]

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XXIX JUNII.

WARRAND gevin to the magiſtratis of Edinburgh to breck vp the ſeller door q^r the armes which wer at drumfreis lyes & to tranſport þ^m to the caſtle of Edinburgh 174

. . . . . .

ACT anent runawayes 175

. . . . . .

REPRESENTA^ON be the Lord regiſter to the parlia^t of the ꝓdition of the caſtle of Edinburgh þ^t it micht be takin in ꝓſidera^on in regaird þ^t the haill regiſters wch concernis the kingdome ſo heighlie ar lying thair þ^t þai may be made ſecure 176

. . . . . .

REMITT ꝓcerneing the Lairds of Morphie & Meldrum to the comittie of billis w^t power to þ^m to determine þ^in 177

. . . . . .

I JULII.

ACT adding the Lords brodie and Libbertoun to the comitteis for the conference and for the kings hous 178

. . . . . .

COMMISSION concerneing Walter Cochrane 179

. . . . . .

II JULII.

ORDOURS to the theſaurar of excyſe for pay^t of fyve hundreth Merk^s for tranſporting of armes from Leith to ſtirling 180

. . . . . .

ACT declairing the nomina^on in parlia^t of any officiars not to infer any exemption frome being lyable to the cõmittie of purgeing 181

. . . . . .

DECLARA^OUN of the parlia^t ꝓcerneing any difference amongſt the rootmaiſters which ar w^in the localitie of the generallis regiment anent the comand 182

. . . . . .

LIST of the officiars for the horſ 183

. . . . . .

LIST of the officiars of foot 184

. . . . . .

185 ACT anent the fortifieing of Leith

. . . . . .

III JULII.

186 ACT in favours of Leivtennent Colonell Halkheid ꝛt Leivtennent Colonell ſtrauchan

. . . . . .

187 ACT in favours of W^m^ glendinning of gelſtoun

. . . . . .

PROTESTA^O^N be the Lo / gñall anent the caſtle of Edinburgh

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PROTESTA^O^N Sr Charles Erſkein anent the caſtle of Dumbartan

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PROTESTA^O^N Lord regiſter anent the caſtle of Edinburgh in reſpect of the regiſters being w^ch^in the ſame wch concernis the kingdome ſo much

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[REPORT from the Committee of Conference.

IT is the opinion of the committee of conference, that inſtead of the act of poſture to avoyd confuſion by the coming together of the whole fenſible perſones, there ſhall be a ſelect number throughout the whole ſhires of the kingdome to be in readineſs to march, and to draw to the ſtanding forces of the kingdome when advertiſed by beacons or orders from the committee; and that the proportion ſhall be the juſt number both of horſe and foot of the preſent leavy, the number whereof is herein preſented to the parliament, by and attour the whole noblemen, gentlemen, heritors, lyfrenters, fewers, and woodſetters, who are to be ordained to come forth under the paynes that be contayned in the act of poſture, and under the higheſt and ſtricteſt puniſhment that can be expreſt, death, infamy, loſſe of all their moveables, and forfaultor of the third part of their eſtates; and as to the bordering ſhires, and other ſhires where the actuall invaſion ſhall be, upon the ſaid invaſion, and upon ſight of the beacons, the whole perſons to riſe in armes and draw together to the ſtanding forces of the kingdome, as they ſhall have advertiſement by beacons or orders.

MEMORANDUM. To repreſent to the parliament that there be a lifeguard of horſe appointed for the king's majeſtie; and that the earle of Eglington be nominated for that charge.

THAT the Iriſh companyes be deſigned to be a lifeguard of foot.

THAT there be ſome perſon of worth and quality appointed to have charge of ſuch ſtrangers or Scottiſh voluntiers as may be uſefull for the ſervice, and againſt whome there is no exception.

THAT the ſomme appointed to be furniſhed by the burroughs for their proportion of foot be applyed towards the defraying of the king's neceſſary and perſonall charges with the burden of tenn thouſand markes for the caſtles of Edenburgh and Inchgarvie.

THAT it be carefully lookt to if there be any faithfull Engliſhmen in this kingdome who hath bein conſtant to the covenant and cauſe that may be made uſe of, to the effect it may appeare that the leavy is not carryed on by nationall intereſts.

Edinburgh, 3 July 1650.

The eſtaits of parliament approves the ſecond, third, fourth, and fixt articles within written, and the fift article agreed to with this declaration, that the ſame ſhall be allowed to the burrowes in any ſubſequent levyes, If the horſe to be leavyed furth of the ſhires bee not taken out and made uſe of. And that the ſumme of 5000 merkes, with the bygan annuall rents, reſt and be payt out of the firſt of the ſaid 80,000 merkes to John Hamilton, apothecarie, for the which hee had the lord marquis of Argyle, Mr. Robert Berkley, and Henry Kennedy, cautioners. And that ſuch aſſignments as the parliament made to them for their releif be applyed for entertaynment of the king's houſe.

LOUDOUN, Cancell', I. P. D. P.]

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ACT for putting the Kingdome in a Poſture of Defence, to joyn with the preſent ſtanding Forces, and new Levy.

188 THE Eſtates of Parliament now preſently conveened in this fift Seſſion of this ſecond Triennal Parliament, Conſidering the great preparations made by the Sectaries in England, to invade this Kingdom, To deſtroy the Religion, Lawes, and Liberties thereof, wherein every ones private condition is included; And that ſundry of their Ships are already taken, and that an Army in an hoſtile manner is daily marching toward their Border, And having ſeverall Intelligences that they intend without keeping of the Order of the Treaty, or giving any previous warning, to fall in upon this Nation; And withall, Conſidering that the Kings Majeſty hath given ſatisfaction to the Demands of the Parliament, and hath ſworn and ſubſcribed the

Nationall Covenant, and the Solemn League and Covenant; And is ſafely arrived within this Kingdome, and that they are obliged to defend his Royall perſon and authority in preſervation of the true Religion, and Liberties of the Kingdome; And that according to the Law of God and Nations, and the continued Acts and practiſes of the Nation, All ſenſible perſons betwixt 60. and 16. are bound to riſe in Arms to defend the King and Kingdome from Invaſione; Yet, The Eſtates of Parliament being deſirous to avoyd the confuſion by the coming together of all ſenſible perſons, Have rather thought fit, that a ſeleet number of Horſe and Foot be in every Shire put in Companies, Troops, and Regiments; That they with all the Noblemen, Gentlemen, Heritors, Life-renters, Fewars, Wodſetters, may upon the ſight of the Beacons, or advertiſement from the Parliament, Committee of Eſtates, or Generall Officers, march to the Rendezvouz of the Shire, and from thence to the place where the Army ſhall be, or where they ſhall receive Orders to goe to for defence of the Kingdome: Therefore the Eſtates of Parliament doth appoint and ordain, that every Shyre ſhall have in readineſſe in Companies, Troops, and Regiments, the proportion of the Foot and Horſe, as after followes; Viz.

For the Horſe.

ROXBURGH, 180. Inde 2. Troopes, Reſts 30, which being joyned with Selkirk, whoſe proportion is 47. makes 1. Troop, reſts 2. Dumfreis 146. Inde 2. Troops, wants 4. Wigtoun and Kirkcudbright 110. 1. Troop, reſts 55. which being joyned with Dumbartan, whoſe proportion is 30. makes 1. Troop, reſts of Dumbartan 10. Air 173. and Renfrew 58. makes 3. Troops, at 73. the Troop. Lanerk 117. one Troop, reſts 42. which being joyned with Clakmanan 28. makes one Troop. Haddington 133. makes 2 Troops, at 67. the Troop. Edinburgh 133. makes up 2. Troops, at 97. the piece. Peebles 49. with the reſt of Dumbartan, which is 10. and the reſt of Selkirk, which is 2. makes 1. Troop of 61. Lithgow, 66. 1. Troop. Stirling 90. and Bute 13. makes 2. Troops at 52. the piece. Pearth 228. three compleat Troops. reſts of Pearth 3. Fyſe and Kinroſhire, 290. 4. compleat Troops. Forfar 160. makes 2 Troops, reſts 10. Kincardin 44. which with 10. out of the reſt of Forfar, makes 1. Troop, at 54. Aberdeen 186. makes 3. Troops at 62. Elgin 54. and Nairne 14. makes a Troop at 68. Bamff 56. one Troop. Inuereſſe and Roſſe, 138. makes 2. Troops, at 98. the Troop. Sutherland 15. Caithnes 24. Cromartie 3. one Troop at 42. Orknay and Zetland 54. one Troop. Argyle 80. one Troop.

For the Foot.

MID LOTHIAN 900. one Regiment. Haddington 900. one Regiment. Barwick 900. one Regiment. Dumfreis 900. one Regiment. Roxbrugh and Selkirk, 1500. Peebles 300. Inde 1800. Inde two Regiments at 900. a piece. Fyſe and Kinroſſe 1800. two Regiments at 700. a piece. Lithgow, 374. Stirling and Clakmanan, 750. Inde 1124. one Regiment. Wigtoun and Kirkcudbright, 900. one Regiment. Lanerk 900. one Regiment. Air and Renfrew 1500. with Dumbartan joyned, whoſe proportion is 240. makes in all two Regiments, at 870. a piece. Pearth 1840. two Regiments. Forfar 1214. one Regiment. Kincardin and Marſhalls part of Aberdeen, 900. one Regiment. Reſt of Aberdeen and Bamff, 1200. one Regiment. Elgin, Nairn, and that part of Inuerneſſe on this ſide Neſs, 750. one Regiment Seaforth and Lovats diviſion of Inuerneſſe, 750. one Regiment. Reſt of Inuerneſſe, Sutherland, Roſſe, and Caithneſſe, 1200. one Regiment. Orknay, and Zetland, 750. and Bute, one Regiment. Argyles diviſion of Inuerneſſe, 800. one Regiment.

AND that by and attour, theſe of the late Leavie of the date the twenty fift of June laſt by-paſt, who are nowayes to be retarded by this Act, which is in place of the Act of Poſture of all the ſenſible men, and which is appointed for the ſtrengthning of the new Leavie, and of the old Forces; And this is alſo by and attour the outcoming of all Noblemen, Gentlemen, Heretors, Life-renters, Fewars, and Wed-ſetters, excepting as is after excepted. Likeas the ſaids Eſtates nominates theſe who are herewith ſent to be Colonels for the Regiments of Foot above ſpecified, viz. For the Sheriffdome of Edinburgh, the Lord Balmerinoch to be Colonell. For the Shyre of Haddington, The Lord Angus. For Berwick, The Laird of Iddington. For Dumfreis, Archbald Douglas of Dornoch, and Crawfurdtown his Lieutenant Colonell. Roxbrugh, Selkirk, and Peebles, The Earles of Lothian and Buckcleuch. Fyſe and Kinroſhire, The Lord Burgly, or the Laird of Waghton, and Sir William Douglas. Lithgow, Stirling, and Clakmanan Shyres, The Laird of Buchanan, and Sir Joſeph Douglas Lieutenant Colonell. Wigtoun, and Stewartrie of Kirkcudbright, The Lord Kirkcudbright. Lanerk, Sir William Carmichael. Air, Renfrew, and Dumbartan, The Lord Chancellour, or the Lord Mauchlein his ſon, and the Earle of Caſsils Colonels. For Pearth Shyre, the Lord Couper, and the Laird of Gleneagies Elder; Forfar, The Laird of Edzell, Kincarden, and Marſhals part of Aberdeen, The Viſcount of Arbuthnot. Reſt of Aberdeen and Bamff, The Laird of Leſlye younger. Elgin, Nairn, and the Earle of Murrayes diviſion of Inuerneſſe, Sir Alexander Sutherland of Duffus. Seafort, and Lord Lovats diviſion of Inuerneſſe, Alexander Frazer Tutor of Lovat. Marqueſſe of Argyles diviſion of Inuerneſſe, The ſaid Lord Marqueſſe of Argyle, or any he pleaſes name. The reſt of Inuerneſſe, Roſſe, Sutherland, and Caithnes, The Earl of Sutherland or any he pleaſes nominate and ap-

point, Major Roſs, Sir John Sincler of Dumbeath, Orkney and Zeatland,

And anent the foot appointed to be put forth by the Shyres of Air, Renfrew, and Dumbartan, if the Earl of Loudoun, Lord Chancellour, or L. Machlein his Son, and the Earl of Caſsils Colonels aforeſaid or any one of them, crave that ſuch a number of the ſaid foot be converted into horſe, as with the proportion of horſe above mentioned, to be put forth by the ſaids Shyres, will make up a Regiment of horſe; In that caſe the ſaids Eſtates of Parliament, do give Power, Liberty, and Freedom to the Committees of War of the ſaids Shyres in their option, to convert ſo many of the ſaids foot into horſe, at the rate of one horſeman for three footmen, as ſhall be deſired by the ſaids Colonels, or any of them. And the ſaids Eſtates Ordains the Committees of War, with the advice of the Colonels in the ſeverall Shires and diviſions they being preſent, to meet all in their own ſeverall Committees, immediately after the receipt of this Act; And that they ſit continually from day to day, untill they determine, proportion and ſettle the ſaids numbers of horſe and foot in ſeverall Troops, Companies and Regiments, and chooſe and appoint more Colonels, Rootmaſters, and all Officers neceſſary; they being perſons ſo qualified, as is required in the late printed Act of Leavie, for leading and commanding the ſaids forces, and that they ſend in the names of theſe whom they appoint, unto the Committee of the Parliament which is appointed for purging of the Army. And the ſaids Eſtates Ordains the footmen to be ſufficiently armed with Muſkets, Pikes, and Swords, and any other their beſt armes, and the horſemen to be armed with Piſtols and Lances, broad Swords, and ſteel Caps. And if any of the Heritors or other perſons aforeſaids be aged, or known to be infirme, or be perſons excepted, as after followes, That they ſend out able men with their beſt horſe and armes, and that the Magiſtrates within Burghs, Heritors, & others deſigned as aforeſaid, or in their abſence, the Baillies and Factors to Landward, ſhalbe anſwerable for bringing the perſons within their bounds, according to their proportion armed as ſaid is, and where they have no arms, that they bring money to buy them with, & that under the like pains as is contained in the late Act of Levie. And the ſaids Eſtates Ordains the Noblemen, Gentlemen, Heritors, Fewers and Woodſetters, to provide themſelves, and the proportions whom they hereby are to put forth, with 30. daies proviſion, for theſe on this ſide of Aberdeen, & with 40. daies proviſion for theſe by North Aberdeen. And farther, the ſaids Eſtates appoints the Committees of War, to provide as many Arms and Ammunition, as will arm the numbers aforeſaid, craved from the Shire, and that either by giving preſent money for them, or Bands for payment thereof, at a certain day, & they to have letters of releif againſt the Heritors for repaiment of the ſame; with power to the ſaid Committees, to diſtribute armes to theſe who wants, and with direction to the Colonel to cauſe dreill and train the ſaid men, put them in Companies, Troops, and Regiments. And the ſaid Eſtates appoints the Committees of War, and Colonels, to agree and reſolve upon ſuch place & places, whereunto they will appoint the foreſaid horſe & foot of the Shyre to have the Rendezvouz within the Shyre, upon the ſeeing of the Beacons burning, or upon other advertiſement from their neighbour Shyres of the country, or from the generall Officers, for to riſe, that from thence they may march and joyn with the army where they ſhall be, or according as they ſhall receive Order from the Parliament, Committee of Eſtates, or generall Officers, & to the effect foreſaid, The ſaids Eſtates appoints the Committees of War in every Shyre, without failzie or delay, at the firſt meeting to cauſe erect Beacons, and have all other things neceſſary ready upon the tops of the higheſt places within the Shyre where Beacons uſed before to be put; that by the firing of the ſame, the people of their own Shyre may be warned to draw preſently to the Rendezvouz, and the other Shires alſo may be warned to draw to their Rendezvouz, that ſo they may all the ſooner joyn with the Army for defence of the Kingdome; Likeas they appoint the Committees of War of the Shyres, or any of them, or any of their Officers, to give preſent advertiſement thereof to theſe of their neighbouring Shyres, and ſo from Shyre to Shyre with all poſſible ſpeed, and alſo to the Committees of Eſtates and generall Officers. And further, The Eſtates of Parliament Ordains all Noblemen, Gentlemen, Heretors, Life-renters, Fewars and Woodſetters, to come forth themſelves, under the pains following, (except the Burgh of Edinburgh, Sterling, Pearth, and Dundee, who are ordained hereby to put all their penſible perſons within their townes, in Arms and Poſture of Defence, for ſafety of theſe places; and except theſe perſons who are debarred from publick truſt, by the firſt and ſecond Claſſe of the Act at Saint Androes, 1646. and at Edinburgh, 1649. who are hereby appointed to put out all their proportions within their bounds, with their beſt horſe & armes at the ſight of the Committee of War, under the command of theſe who are appoynted by the Parliament, or Committee of War of the Shyre as aforeſaid; but are hereby diſcharged under the pains contained in the Band, for keeping the peace, either to aſſociate themſelves in parties in armes, or to joyn with our army) viz. Ilk Nobleman, Gentleman, Heritor, Life-renter, and Woodſetter, under the pain of being eſteemed infringers of their Covenant, neglecters of the defence of Religion, the King, and the Kingdome; and of being puniſhed by death, infamy, loſſe of all their moveables, and forfeiture of a third part of their Eſtates. And further, The ſaids Eſtates doth ordain and

appoint, That by and attour the numbers aforeſaid, in the bordering Shyres, and the other Shyres where the actuall Invaſion ſhall be; That upon the ſaid Invaſion, or upon the ſight of the Beacons, The whole perſons fenſible riſe in armes, and draw together to the place where the ſtanding forces of the Kingdom are at a Rendezvouz, or whereto they ſhall receive orders to march. And to the end none may pretend Ignorance, Ordains the Act to be publiſhed at the Mercat Croſſe of Edinburgh; and withall, Ordains it to be printed, and ſent to the Committees of War of the ſeverall Shyres, who are hereby required to put the ſame with all poſſible diligence in execution, as they would not be eſteemed and puniſhed as infringers of the Covenant, and neglecters of the defence of the Religion, King and Kingdome; And withall declares, that the publiſhing hereof at the Mercat Croſſe of Edinburgh, and Printing of the ſame, ſhall be a ſufficient intimation againſt the contraviners thereof.

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189 ACT Ordaining a Leivgaird of horſemen for his Mäties perſone And Ordaneing the E Eglentoun to be cõmander ꝑof

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190 ACT Ordaneing Sr Wm balfour to have the charge of natives or ſtrangers volunteirs againes quhom thair is no exception

. . . . . .

191 COMMISSION anent the ſetiling of his Mäteis rentꝭ

. . . . . .

192 ACT in favours of the Engliſh quho have bein faithfull in the covenant

. . . . . .

193 LIST of the Colonellꝭ of foot quho ar to be put out for obedience of the act of poſtour

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IV JULII.

ACT for ſecureing the harburie of Leith

194 AT Edinburgh the fourt day of July 1650 yeires, the eſtates of parliament doe hereby give warrand and command to the magiſtrates of Edinburgh, and committee of fortification of Leith, to take preſent and effectuall courſe for ſecuring the harbour of Leith, and ſhipps, barks, and boats lying therin, and for that effect to caſt up ſuch fortes and workes as they ſhall find expedient for defence of that harbour, to cauſe plant gunns thereupon, to command ſuch nomber of ſoldiers, or others, preſently imployed about the workes of Leith as they thinke fitt, to be ayding and aſſiſting in making up alſo fortes upon the mouth of the harbour of Leith. And that the ſaid magiſtrates and committee give order for putting on the boume upon the mouth of that harbour, and to doe all other things neceſſary for defence thereof. And the ſaid eſtates doe hereby diſcharge all maſters of ſhipps or others from taking any ſhipps or barks furth of the ſaid harbour, without ſpeciall warrand from the committee of eſtaits, or from the provoſt of Edinburgh.

. . . . . .

WARRAND for ſecuring Inchgarvie 195

. . . . . .

ACT for making up a regiment to the geⁿ artiliarie 196

. . . . . .

ACT anent the 80000 Merks payable be the burrowis 197

. . . . . .

ORDOUR to the Comittee of eſtaittꝭ to draw wp the artickles of the diſciplein of warr be the advyſſ of the miniſtrie 198

. . . . . .

ACT diſchargeing duellꝭ or combattꝭ 199

. . . . . .

ACT Ratifieing the Treatie betuix the Kingis Mätie and the Commiſſionerꝭ of the pliament of this Kingdom

THE Eſtates of Parliament now preſently Conveened in the fifth Seſſion of this ſecond Triennall Parliament of King Charles the ſecond, Taking to their conſideration, that now by the bleſſing of God upon this Church and Kingdom, and upon their endeavours in the Treaty with the Kings Majeſty; The ſaid Treaty betwixt the Kings Majeſty and the Parliament of this Kingdom, is now brought to a bleſſed and happie cloſe; And that the Kings Majeſty hath been pleaſed to give a full conſent to the propoſitions given in to his Majeſtie by the Commiſſioners of the Parliament of this Kingdom, contained in a Paper bearing date 11. June, 1650. And that thereupon his Majeſty was Invited by the ſaids Commiſsioners in name and by warrand of the Parliament to come to his Ancient Kingdom, according to the Act of Parliament of the date 18. May, 1650. Declaring and explaining their former invitation given to his Majeſty at Breda; and that his Majeſty at his arrivall to this Kingdom, did ſubſcribe the Nationall Covenant, and the Solemn League and Covenant, and Solemnely ſwear the ſame at Speymouth 23. June laſt, which the ſaids Eſtates of Parliament do acknowledge to be a 200

matter of prăiſe unto God, and of great contentment unto them as a return unto their Prayers, that now the Lord of His mercy hath been pleaſed to give them a Covenanting King, who hath entered in Covenant with God, and with His people; And therefore the ſaids Eſtates of Parliament do by thir preſents unanimouſly accept of His Majeſties Anſwers as ſatisfactory to their foreſaids demands, And therefore doth Ratifie and approve the foreſaids propoſitions given in by the ſaids Commiſsioners of this Kingdom to His Majeſty upon the 11. June laſt, with his Majeſties conſent thereto, and the foreſaid invitation given in to His Majeſty by their ſaids Commiſsioners, according to the tenour of the foreſaid Act of Parliament 18. May 1650. and the Paper given in by their Commiſsioners of the date day of anent the perſons to be left behinde, And Ordains the foreſaids propoſitions, and his Majeſties conſent thereto, with the foreſaid invitation according to the explanation thereof above written, and the Paper foreſaid to be inſert in the books of Parliament, and to have the ſtrength of an Act of Parliament in all time coming; and alſo in reſpect that the Kings Majeſty hath been gratiouſly pleaſed to give ſatiſfaction to this Kingdom, and to their demands, as is contained in his ſaid conſent to the foreſaids propoſitions concerning the ſecurity of Religion and the Union betwixt the Kingdoms, and the good and Peace of this Kingdom, according to the Nationall Covenant, and ſolemne League and Covenant: Therefore in Teſtimony to his Majeſty and to all the World of the Loyaltie and Integritie of their intentions towards his Majeſtie, and for fulfilling and performance of their part of the ſaid Treaty to his Majeſty: They do now by thir preſents unanimouſly declare, that his Majeſty may and is preſently to enter to the Exerciſe of his Royall power to govern his people in Righteouſneſſe and equity, according to the Laws of this Kingdom, the Covenants abovewritten, and the Treaty foreſaid, for the Honour of God, good of Religion, and welfare of his people. And as the ſaids Eſtates did upon 5. February 1649. publiſh the Act of their due acknowledgement of his Majeſties Right, Title, and ſucceſſion to the Crown; So alſo do they publiſh this their due acknowledgement of his Majeſties admition and entering to the Exerciſe of his Royall power according to his juſt Title and right; Likeas the ſaids Eſtates of Parliament being moſt deſirous and earneſt that his Majeſty ſhould be preſently Crowned, and ſo be ſolemnly inveſted in the poſſeſſion thereof, but in reſpect the preſent condition of his Majeſties affairs and of the affairs of this Kingdom, neceſſitates the Eſtates of Parliament to adjourn this preſent Seſſion of Parliament for a ſhort time, for putting this Kingdom in a Poſture for defending Religion, the King and Kingdom againſt the threatened Invaſion: Therefore the ſaids Eſtates, doe humbly and moſt earneſtly Invite his Majeſty to be preſent in his Royall Perſon with his Parliament at their next meeting, where they are reſolved (God willing) to perfect the Solemnity of his Coronation, at which time the ſaids Eſtates of Parliament are confident his Majeſty will again approve and confirm the whole Articles above mentioned, and renew the Covenant aforeſaid, for his Majeſties good and happineſſe, and for ſatisfaction of his people; and in the mean time, the ſaids Eſtates during this preſent intervall, do reſolve to appoint a Committee of Eſtates, by whoſe adviſe his Majeſty is to manage the Government of this Kingdom in all matters according to the Commiſsion to be granted to them; and Ordains this preſent Act to be publiſhed at the Marcat Croſſe of Edinburgh by the Lion King of Armes, with all Solemnities requiſit, in the preſence of two perſons of each Eſtate of Parliament, appointed to aſſiſt thereunto.

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ACT ꝓtinewing the Comiſſione for the geⁿ comiſſʳᵉ accomptᵉ 201

. . . . . .

ACT ꝛ Comiſſione To the Comittee of eſtaittᵉ 202

. . . . . .

LETTERIS ſent to England anent the 3 ſhippes takin 203

. . . . . .

REMITT to the Comittee of eſtaittᵉ to nominat the officiarᵉ of the three foot regimentᵉ in the north 204

. . . . . .

REMITT to the Comittee of Estaittᵉ to draw a declaraᵒne to be emitted from the parliament 205

. . . . . .

REMITT to the Comittee of eſtaittᵉ to meitt wᵗ the Comiſſionerᵉ of the churche to think wpone the way of the kingis coronation 206

. . . . . .

ORDOUR for ſending ane letter to the conſervatoʳ for making matrices for ſtricking of coyne 207

. . . . . .

208 ORDOUR givin to S^r Jo^n falconer to ſtrick threeſcoir ſtane of copper & no further

. . . . . .

209 ~~ORDOUR for the duik of buckinghame wolmet M^r hardin and certane other^s p^r remayning in ſcotland till the nixt ſeſſione of parliament~~

Warrandit be the Inſtructiones

[A LIST of the perſones that are thought fitt not to be removed out of the country, untill the commiſſioners be heard thereanent.

D. Buckingham,
L. Wilmot,
Mr. Seymour,
Dr. Frazer,
L. Wentworth,
Mr. Harden,
Mr. Long,
Mr. Uder,
Mr. Rhodes.

Edinburgh, July 4 1650.

Whether the perſones above written ſhall be ſuffered to ſtay in the country till the next ſeſſion of parliament, I or No, except the committee of eſtates find otherwiſe.

Read, voted, and paſſed in parliament.
Affirmative.]

. . . . . .

210 ~~ORDOUR for þe duik of buckinghame his remayning at court till the nixt ſeſſione of parliament, and lykwayes of do^r fra^t~~

Warrandit be the Inſtructiones

. . . . . .

211 ACT ſuſpending the certifica^ne aganes the E: Lawderdaill till 8 dayes efter the nixt ſitting of parliament

. . . . . .

212 ~~ORDOURIS for the E: Buccleuch & weemes & remanent pſones to go and Congratulat his mãties coming~~

Warrandit be the Inſtructiones

. . . . . .

INSTRUCTIONES to the Comiſſioner^s that gois to his mãtie [viz. Earle of Caſſilis, Buckleugh, Louthian, Weymes, La: Brodie, Libertown, Netherpollock, Fingaſk, Sir John Smith, Alexander and John Jaffrayis, and George Porterfeild.

213 YOU are to repare to the king's Majeſtie, and in the name of the parliament congratulate his Majeſtie's happy arrivall into this kingdome.

YOU ſhall ſhew his majeſtie how much his parliament and people of this kingdome doe rejoice to that it has pleaſed God to move his heart to give ſatisfaction to their deſires, and to teſtifie their ſenſe thereof, appoint you to communicate to his majeſtie, the act ratifieing the treaty, the acts of leavy and poſture, and the act for the committee of eſtates: and that for the more evidencing of his conſtant reſolutions to follow the advice of his parliament, hee would likewiſe forſake and abandon the company of ſuch as have been oppoſers of the covenant and worke of reformation; and that his domeſtick ſervants and ſuch as are about him bee well affected to the cauſe, and ſuch as are otherwiſe be removed and putt from about him in a faire and diſcreet way.

YOU ſhall repreſent in a faire way to his Majeſtie, that the Scottiſh noblemen, gentry, and others, contenit in the laſt act of parliament of the 4th June laſt, and all others Scottes men mentioned in the following article, be forthwith removed out of the kingdome, without prejudice, to proceed further againſt them as accords of the law; and for the more effectuall putting hereof into execution ſome troopes are appointed to attend you.

YOU ſhall repreſent to his Majeſtie in a faire way, that the perſons following, viz. the Duke of Hamilton, the Earle of Forth, the Lord Sinclair, Sir Robert Dalzell, Lord Wentworth, Earle of Cleveland, Viſcount Grandiſon, Lord Witherington, Mr. Rogers, Sir Philip Muſgrave, Col. Darcy, Col. Gray, Col. Boynton, Major Jackſon, Doctor Goff, Sir Edward Walker, the corrupt chaplaines, and ſuch as have ſerved in armes againſt the cauſe, and been evill inſtruments, and given bad counſell to his majeſties late father and himſelfe, and likewiſe ſuch others as upon good information ſhall be thought fitt, bee presently removed out of this kingdome within eight dayes after intimation hereof made to them, or after publiſhing of theis preſents at the mercat croſſes of Dundie and Aberdeine, which is referrit to their care; otherwiſe to declare to them that this kingdom will give them no protection, but will ſeize upon their perſones, and diſpoſe of them as they ſhall thinke fitt; and in the meane tyme that they be removed from the verge of the court, and be not permitted to have acceſſe to his majeſtie.

Edinburgh, 4 Julii 1650.
Red, votted, and paſt in parliament.
LOUDOUN Cancell' I. P. D. P.

YOU are to permitt the Duke of Buckingham, Mr. Seymour, Dr. Frazer, and Mr. Rhodes to ſtay att court, and you are to permit Lord Wilmott, Mr. Hardin, Mr. Long, Mr. Ewar to ſtay in Scotland, till the next ſeſſion of parliament, unleſs the

committee of eſtaits ſhall find their carriage to deſerve the contrary; but in the meane time you are not to permitt them to come within the verge of the court, or to have acceſſe to his majeſtie.

4 Julii 1650.
Read and paſt in Parliament.

THE parliament has appointed 1000l. ſterling to be diſtributed be you to ſuch of the king's Engliſh ſervants that are debarred from court, as ſtaying within the kingdome, as the commiſſioners in Holland ſhall thinke fitt, which you are to communicate to whom you judge meet, providing alwayes this bee without prejudice of putting in execution former acts of parliament concerning their removall from court, and furth of the kingdome.

4 Julii 1650.
Read and paſt in parliament.
LOUDOUN Cancell^r I. P. D. P.]

. . . . . .

V JULII.

214 REMITTE to the Comittee of eſtaitt^ſ to draw a letter to be ſent to the kingis mãtie

. . . . . .

215 ORDOUR to the E/Buccleuch and L/balmerinoch, Sr Charles erſkyne and cunynghamehead patrik roſſ and alex^r bowar and the pveſt of ed^r to go and heir the act of approba^ne of the treatie proclaimed

. . . . . .

216 ORDOUR to the L/advocatt for drawing a commiſſion to certane pſones concerning his Mãties effair^ſ

. . . . . .

217 ADDITIONE of certane pſones to the Commiſſione for the effair^ſ of þe exchecker

. . . . . .

ACT for wplifting 108000^li to defray the Commiſſioner^ſ charges

218 THE Eſtaites of parliament now pñtlie conveined in the fyft ſeſſione of this ſecond triennall parlia^t Conſiddering that Johne Earle of Caſſill^ſ, Williame Earle of Louthian, Alexander Brodie of that ilk, Mr George Windrame of Liberton, Two of the ſenato^r^ſ of the colledge of Juſtice, Sir Johne Smyth of Grottall and Alexander Jafray proveſt of Aberdein, Thair cõmiſſioners wha went to Holand for bringing home of his Mãtie and had expreſ warrand of parliament and the publict faith of the kingdom for great ſowmes of money Hath beine neceſſitat to borrow certan ſowmes of money Extending to Seaven thowſand ffyve hundreth punds ſterling And haveing not onlie given the publict faith Bot alſo thair awne privat ſuirtie for repayment thairof, and alſ to beare the riſk and hazard of the cariage till the ſame be repayed q^r it was borrowed Thairfor and for releiff of thair ſaid^ſ cõmiſſioner^ſ and payment of the ſaid ſowmes vplifted be them for his Mãties vſe according to the warrant and publict faith given to them be the parlia^t The ſaides Eſtaites Have Ordained and Ordaines the ſowme of ane hundreth and Eight thowſand pundis to be vplifted out of the ſeverall ſhyris and burghis of this kingdome without exemption according to the reull^ſ and proportione of the mantenanee in the reẽiue ſhyres and burghis And that betuix and the firſt day of auguſt nixt And hes given full power to the ſaides comiſſioner^ſ who went for his mãtie To give warrant for collecting þairof to ſuch as they ſhall think fitt, And allowis to them ſuch fies as was formerlie allowed to collecto^r^ſ and clerkis And the ſaides Eſtaites of parlia^t declaires themſelves bund and obleiſt to releive thair ſaides cõmiſſioner^ſ of thair obligatioune of the riſk hazard and expenſ of the returneing of the ſaid ſowmes borrowed be them at Holland

. . . . . .

ACT anent the diſpoiſing of the ſuperplus of the 108000 punds more nor ſatiffeis the ſowms geyin out be the cõmiſſionars 219

. . . . . .

ACT Ordaining Michaell Elphingſtoun & Sr George Melvill to attend his Mãtie as M^r houſholds 220

. . . . . .

ACT ordaining the laird of Affint to have the charge of the gariſon in ſtranaver, in the houſe of Tong and Capitane W^m gordone to have ane companie out of thois to be levied out of ſutherland 221

. . . . . .

ACT anent the marching of the horſe & foot of the firſt levie 222

. . . . . .

REMITTE to the comittie of eſtates to Geive ordours for the troups in the bordering ſchyres, Mers tivydaill & drumfreis 223

. . . . . .

224 ACT ordaining the localitie of the pay of the caſtle of Edr to be payed be the toun of Edr

225 ACT anent the prorogating & collecting of the maintenance for auguſt & ſeptember

226 REMITT to the cõmittie of eſtates to ꝓdeſcend vpon the way of the interteinment of the Lyfegaird of horß for his Mãteis perſone & of þr proporc̃un & of the Iriſh foot quho ar to be his Mãteis foot Lyfegaird

227 LICENCE to the laird of May to go home wt̃out finding of cawtione

228 ACT approveing the liſt of the cõmittie of War of hadingtoun

229 LIST of the reportꝭ of the committie of billes remitted to the Committie of Eſtaittꝭ

230 ACT in favours of the Erle of Mar

231 REMIT In favors of the laird of Ridhall

232 ACT qr the tutour of the Erle of Caithnes made faith de fideli adminiſtrac̃ne

233 REMITT Laird Lethem & vthers to the cõmittie of eſtates wt power to determine

234 REMITT George Home of baſſindean to the comittie of eſtates wt power to þm to determine

235 RATIFICAcN In favours of Sr James balfour Lyon king of armes & his breithrein

PROTESTAcN maiſſers of parliat againes the ſd Ratificac̃n

236 RATIFICAcN in favours of Ewin Cameron of Lochgeld

RATIFICAcN in favours of the Marques of Argyle of his dat againes Angus Mc Donald 237

RATIFICAcN Marques of Argyle & Lord Neill Campbell his ſone of his infeftment of the Lands of Neilſtoun 238

RATIFICAcN Marques of Argyle of the tennendrie of Largie 239

RATIFICAcN in favours of Thomas Jaf. ray comiſſar of peibles of his gift of the commiſſariat of peibles 240

RATIFICAcN of ane contract betuix the Lord balmerinoch & Mr Wm Dalgleiſh 241

RATIFICATION In favours of Doctor Alexr Dowglas of the infeftment grantit to him of the Lands of Drumdola. 242

THE Eſtates of parliat now pñtlie convenit in this fyſt ſeſſione of this ſecund trienniall parliat RATEFEIS and approves The lres of alienatione and diſpoſitione made gevin and grantit Be James Vicount of frendraucht Lord Crichtoun heretable proprietar of the touns and Lands particularlie vnderwryttin To and in favours of Doctor Alexr Dowglas proveiſt of bamff his airs and aſſignayes qtſomever heretablie and irredimablie Off all and haill The toune and Lands of Drumdola wt the croftis thairof and teyndſchaives of the ſamen includit, As Lykwayes wt all and haill the two pairt of the toune and Lands of downeis and croft thairof, wt all and ſundrie the houſß biggingis zairds moſß mures medowes leafours comonteis comone paſturages pairtes pendicles and pertinentis qtſomever, apperteining and belonging to the ſde touns and Lands of drumdola, and two pairt of downeis abovewryttin wt thair pertinentis All Lyand win the baronie of frendraucht be annexatione, Parochins of Forge and Inuerkeithney And ſchirrefdomes of Aberdein and banff reẽive With the precept of ſaiſing thairincontenit of the date the eightein day of Junij the zeir of god Jm vjc fourtie ſevin zeirs Actit and regrat in the buiks of counſell and ſeſſione vpone the fourtein day of Junij Jm vjc fourtie nyne zeirs With the inſtrument of ſeaſing following vpone the ſaid diſpoſitione and precept of ſaiſing thairincontenit Made and gevin to the ſaid doctor Alexr dowglas Off the ſaids touns landes and vthers 243

abovewryttin Of the date the thertein day of Julij J^m vj^c^ fourtie ſevin ȝeirs With all and ſundrie vthers infeftmentis chartours preceptis and inſtrumentis of ſeaſing procuratoreis and inſtrumentis of reſigna^o^un and vthers richtis following and to follow vpone the ſaid diſpoſitione alredie made and grantit or to be made and grantit to the ſaid doctor Alex^r^ dowglas and his foreſaids of the ſaids toune Lands teynds and vthers abovewryttin w^t^ the pertinentis IN ALL AND SUNDRIE the heids poyntis clauſſ articles circumſtances and conditiones thairincontenit, And efter the formes and tennours thairof In all poyntis AND WILLIS and grantis And for thame and thair ſucceſſours DECERNIS and Ordanes þ^t^ this pũt gũall ratifica^o^un and confirma^o^n of the ſaid diſpoſition, precept of ſaiſing þ^t^incontenit, And ſaiſing following þ^t^vpone, And vthers richtis following and to follow vpone the ſamen IS and ſhall be als valeid effectuall and ſufficient, And of als great force ſtrenth and effect To the ſaid doctor Alex^r^ dowglas and his foreſaids for bruiking of the ſaids townes Lands teynds and vthers abovewryttin w^t^ thair pertinentis, Heretablie Irredimablie and perpetuallie In tyme comeing, As if the ſamen ratifica^o^n and confirma^o^n had bein grantit thairvpone before the ſaiſing alredie takin be the ſaid doctor Alex^r^ Dowglas be vertue of the ſaid diſpoſitione and precept of ſaiſing And as if the ſaid diſpoſitione precept and ſaiſing And haill remanent richtis following and to follow thairvpone, heirby ratefeit in maner foreſaid wer all at lenth de verbo in verbum ingroſsed inſert and contened in this preſent ratification, Notw^t^ſtanding of the ſaid ſaiſing alredie tane, And notw^t^ſtanding the ſaids haill richtis gũallie and ſpeciallie abovewryttin heirby ratefeit as ſaid is Ar not nor will be inſert and contenit in the ſaid ratifica^o^n, Quhairanent and w^t^ vther faultis defectis imperfectiones, and obiectiones þ^t^ may be proponit or alledged againes the foreſaids richtis, And this preſent ratifica^o^n thairof The ſaids Eſtates hes diſpenced and be thir pũtis diſpences forever.

. . . . . .

244 LIST of the comittie of war of Inuernes

. . . . . .

245 RATIFICA^O^N to the laird of hirdmeſtoun of his lands ꝛ baronie of hirdmeſtoun ꝛc^a^

. . . . . .

246 RATIFICA^O^N Lady frendraucht of hir infeftment of hir coniunct fie lands

. . . . . .

247 RATIFICA^O^N to the Erle of Lowdoun Lo^r^ Chancellar of his richtis ꝛ infeftmentis of the lands of Entrekin

. . . . . .

RATIFICA^O^N the Erle of Lowdoun Lo^r^ chancellar of his infeftment Grantit to his Lordſhip in lyfrent ꝛ the Lord Machlein his ſone in fie of the Lands ꝛ baronie of Mertonyne ꝛ Lowdoun ꝛ vthers 248

. . . . . .

LIST of the comittie of war of ſelkirk 249

. . . . . .

RATIFICA^O^N to Sr Archibald Johnſtoun of Wareiſtoun k^t^ clerk regiſter of his infeftment of the lands of Wareiſtoun 250

. . . . . .

ACT ꝓteining ane addition to the comittie of war of bervick 251

. . . . . .

SUPPLICA^O^N Jo^n^ ſtevinſone Remitted to the cõmittie of eſtates 252

. . . . . .

LIST of ſupplica^o^nes ꝛ reportis 253

. . . . . .

ACT of tranſumpt in favours of Jo^n^ grahame burges of gleſgow 254

. . . . . .

REMITT Thomas Richardſone ſcipper in dyſert to the lords of ſeſſione 255

. . . . . .

LIST of the comittie of War of Roxburgh 256

. . . . . .

ACT in favo^r^ of Co^ll^ Campbell of Lawers Doctor ſharps relict ꝛ Mr James Campbell 257

. . . . . .

ACT ordaining ten thowſand Merk^is^ to be payed to the caſtellis of Ed^r^ ꝛ Inchgarvie, out of the firſt of the toun of Ed^r^ſ propor^o^un of the 80000 Merk^is^ 258

. . . . . .

ACT appoynting ane gratuitie to be gevin to the clerk^is^ of ſeſſion for thair ſervice 259

. . . . . .

INSTRUMENTIS takin be Sr Charles Erſkein vpon redelyverie of the honours to be keiped or tranſported as the comittie of eſtates ſhall give ordour 260

. . . . . .

ACT ſalvo iure cujuſlibet 261

. . . . . .

ACT continua^o^n of the parlia^t^ to the fyfteint day of Auguſt 262

. . . . . .

Apud Perth,

XXVI DIE NOVEMBRIS, A. D. M,DC,L.

IN THE SIXTH SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith, Holden at Perth and begun the twenty-fixth day of November 1650.

XXVI NOVEMBRIS.

[MINUTES.]

26 Novembris 1650

DOMINO REGE PRESENTE.

Sermon maid by Mr Andro eant.

The Rollꝭ of parliament Called

THE oathe of parliament Redd and takin by all the memberis of parliament preſent

THE tuo actꝭ of parliament anent the Electione of the preſident of parliament, on, in anno 1641 and the other in anno 1647 being Redd in parliament Thareſter the Erle of Loudoun Lord chancelar wes elected preſident for this ſeſſione of parliament

THE L M of Argyle aſkit inſtrumentꝭ wpoun the productione of the honorꝭ viz the Croun ſcepter & ſword in face of parliament, wche wes delyvered to the Laird of ſcottiſcraig in name of the Erle of Mariſchall

ORDANES the nixt meitting of parliament to be the morrow at nyne hourꝭ

Minuttꝭ redd

. . . . . .

1 ACT anent the electione of þe Erle of Lowdoun Lord heiche chancelar of this realme preſident for this ſeſſione of parliament

. . . . . .

2 INSTRUMENTIS takin be the L / M / of Argyle wpoun the productione of the honorꝭ

. . . . . .

XXVII NOVEMBRIS.

[MINUTES.]

27 novꝭ 1650 2a dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

BEING putt to the queſtione whither or not any ather barron or burges may ſitt as cõmiſſionerꝭ in parliament & voyce, wtout productione of þr cõmiſſione or of ane act of ꝓtinowane of þr former comiſſiones bearing thame to have bein nominat comiſſionerꝭ to the parliament, It wes voyced negative.

ORDANES a Comittee to be appoynted to think wpoun the way of calling in of the Comiſſionerꝭ of ſuche ſhyres and burghes as ar not yit come to the parliament, and to conſidder what courß ſhall be takin for bringing of comiſſionerꝭ from thoiß ſhyres and burghes wche ar wnder the pooer of the enemye and remittꝭ this to the comittee of overturꝭ

THE Kings Mãtie and Eſtaittꝭ of Parliament Earneſtlie deſyres the Comiſſionerꝭ of þe geⁿ aſſemble to remayne heir for ſum tyme that thay may haue þr advyce in ſum pticularꝭ to be comunicat to thã And that they may haue this day or the morrow a conference wt thame thairanent wche wes communicat to thame by the L / Burghley, the Laird of Duffus, and Hew Kennedy

THAT a Cõmittee be apoynted to think wpoun the beſt overturꝭ anent the Comanding ſtrenthing vneitting diſpoſing off and provyding the forces of the kingdom wt mentenance, amonitione, and vther neceſſrꝭ, And for redreſſing of þr diſordorꝭ & opreſſiones, and for any vther thing concerneing þr forces, To conſiſt of four of evrie eſtaitt to be named be the ſeverall bodyes, That a comittee be appoynted of tuo of evrie eſtaitt for overturꝭ, And a comittee for billꝭ conſiſting of three of evrie eſtaitt The threid pt of the number to be the quorum of evrie comittee promiſcuus keeping the tyme & places appoynted for meitting be the parliament and ordanes the place of meitting for the comittee for militarie effairis to be the ſeſſione hous, The place for the comittee of billꝭ the north ſyd of the parliament hous, and for the overtures the ſouth ſyd, The Body of the noblemen to meitt in the kingis rowme, the Barrones to meitt on the north ſyd of the parliament hous, and the burrowis on the ſouth ſyd

BILL from the Liveten geⁿ remitted to the Committee for the armie

WARRAND anent the keiping of the ge^{ll} regiſter of ſeaſings in the burgh of perth paſt in pliament

ORDANES the Comittee of billꝭ to tak in conſidera^{o}ne paperꝭ givin in concerning witches

APPOYNTIS the Comittee for þe armie to be the Comittee for þe conference

THE ſubiect of þe conference to be, anent the cauſes and tyme of the faſt, and anent the ceremonyes of the coronatione, Anent miniſterꝭ to the kingis familie And anent the reaſones pro and contra quhy men ſhould be admitted or excludit from joyneing with the armie, or acting a pt againes the comon enemy

ORDANES Lr̃es to be wreattin to the ſeverall ſhyres anent Comiſſionarꝭ to be ſent to the parliament to be direct to the ſhireffis or the former comiſſionerꝭ

ORDANES the ſeverall bodyes to meitt at tuo hourꝭ and the pliament at three hourꝭ

Minuttꝭ redd

Eodem die poſt meridiem

Prayerꝭ heard and rollꝭ callit

THE noblemen nominatt the perſones following to be wpoun the Comittee for the effaires of the armie and conference, M Argyll E Eglintoun, E Caſſillꝭ E Lothiane, The Barrones nominatt Toftis Duffus Buchannan, Ava, The Burrowis nominatt Andro Grant Alex^{r} bowar, James ſword and George Jameſon

THE noblemen nominat for the Comittee of billꝭ The E / Buccleuch, L / Burghley L / Balcarras The Barrones nominat Duncrub Hardin Glenkindie The Burrowis nominat Jo^{n} Jafray W^{m} ſympſon and George Gardyne

THE noblemen nominat for the Comittee of overturꝭ The E Roxburgh E Weymes L newburgh L cranſton The Barrones nominat Hoptoun and Caverꝭ clerkinton & keith, The burrowis nominat Ro^{t} Whyt and peter walker, george Gardyn & W^{m} walker

THE parliament referꝭ The diſpatche of Co^{ll} Ro^{t} Mongomrie to the Comittee for the Armie

SUPPLICA^{o}NE Cap. Dauid buchan referred to the Comittee of militarie effairꝭ

REFERIS to the Comittee of overturꝭ to think wpoun the ordoring of the hous for this pliament

SUPPLICA^{o}NE Sr James Lockhart Remitted to the Comittee of billꝭ

ORDANES the haill Comitteeis to meitt preſentlie & the parliament the morrow at nyne hourꝭ

. . . . . .

ACT Ordaneing that no Commiſſionerꝭ ſhall ſitt in parliament ather barron or burges w^{t}out productione ather of þ^{r} comiſſione bearing thame to be eleeted cõmiſſionerꝭ for that ſeſſione of parliament or of thair former cõmiſſiones bearing thame to haue been cõmiſſionerꝭ in the preceiding ſeſſione of parliament and continewed for that ſeſſion 3

. . . . . .

ACT ordaneing the generall Regiſter of ſeaſingis to be keepit in the toun of perth 4

. . . . . .

COMISSIONE to the Comittee for the militarie effairꝭ & conference 5

. . . . . .

COMISSIONE to the Committie for billꝭ 6

. . . . . .

COMISSIONE to the Committie for overturꝭ 7

. . . . . .

XXVIII NOVEMBRIS.

[MINUTES.]

28 no^{r}ꝭ 1650 3^{a} dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and Rollꝭ callit

THE artickle of the report from the Comittee for the armie anent the nominating be the parliament of a ſelect comittee of perſones who ar not memberꝭ of parliament To conſiſt of ſevin and four to be the quorum w^{t} pooer to thame or þ^{r} quorum during the tyme of parliament To heir complaintꝭ of wrongis done be officiarꝭ or ſojorꝭ, and to redreſſ^{e} the ſame And that Lr̃es be ſent to the ſeverall ſhyres to intimat the ſame, Remitted to the ſeverall bodyes, to be broght bak at the nixt meiting

~~THE thrid artickle of þe ſ^{d} report anent the defyring of the Liveten. generall to ſett doun a pticular rela^{o}ne of his deportmentꝭ in the conduct of the armie & c^{a} as the artickle bearꝭ Remitted to the ſeverall bodyes~~

THE fyft artickle anent the muſtering of þe forces remitted to the ſeverall bodyes, as þe artickle bearꝭ

THE parliament gives warrand to the Comittee for the militarie effairȩ to diſpatche Coⁿ mongomrie, and gives warrand to the geⁿ of arteliarie or his deputtȩ for delyvering to Coⁿ Roᵗ mongomrie or any haveing his ordor a ſufficient quantitie of amonitione, not exceiding 200 weight of pouder wᵗ matche and ball proportionall

SUPPLICAᵒNE E Levin Lord Generall Redd ꝛ remitted to the Comittee for þe militarie effairȩ

THE 4 artickle of the report anent the calling of þe comiſſionarȩ of ſeverall ſhyres to ane accompt of what diligence they haue done in proſecutione of lr̃es ſent from the Comittee of eſtaittȩ, anent the liſt of the men putt out by the ſhyres Remitted to the ſeverall bodyes, to report at the nixt meiting

THE Kingis Mãtie and parliament appoyntȩ thoiſ wpoun the conference to meitt wᵗ the Comiſſionarȩ of the geⁿ aſſemblie at 3 of the clok efternun in the kirk ſeſſione hous

SUPPLICAᵒNE ſhyre of forfar Redd ꝛ remitted to the Comittee of billȩ

THE parliament remittȩ to thoiſ of the conference wᵗ the comiſſione of þe churche to ſpeik anent the expediencie of calling a generall aſſemblie at this tyme

ORDANES the ſeverall bodyes to meitt at tuo efternun

THE Comitteeis to meitt at 3 efternun ꝛ the morrow morning

. . . . . .

8 ORDOUR to the geⁿ of arteliarie or his deputtȩ for delyvering to Coⁿ Roᵗ mongomrie 200 weight of powder wᵗ matche and ball proportionall.

. . . . . .

XXIX NOVEMBRIS.

[MINUTES.]

Vigeſimo nono noᵛȩ 1650 4ª dies parl.

DOMINO REGE PRESENTE

Prayeris heard and Rollȩ callit

THE Lord Regiſter excuſed for his abſence till his returne

REPORT from the Comittee of overturȩ anent the Comiſſionerȩ of parliament of þe ſhyres of Edinburgh Lithgow Hadintoun Redd and approvin, And ordanes a proclamaᵒne to be p̃tlie drawin ꝑanent ꝛ intimat at the croce of perth

REPORT from the Comittee for the conference, anent the tyme of a ſolemne faſt to be keepit, and tyme of his Mãties coronaᵒne Redd and approvin, ꝛ a proclamaᵒne Ordaned to be drawin anent the day of the coronatione to be publiſhed preſentlie at the mercatt croce of perth

THE Eſtaittȩ of pliament Ordanes intimaᵒne to be maid to the geⁿ officiarȩ, the geⁿ comiſſʳ and the Lord humbie to be preſent at the comittee for the militarie effairȩ

REPORT from the Comittee of billȩ anent the ſhyre of forfar Redd approvin and remitted prout in ſcriptis

REPORT from the Comittee of billȩ anent the Lord Pitſligo Redd and approvin

REPORT from the Comittee of billȩ anent Sʳ James Lockhart Redd ꝛ remitted to the ſeverall bodyes

LETTER anent the priſonerȩ in orkney remitted to the Comittee of billȩ

RECOMENDATIONE from the Comiſſionerȩ of the geⁿ aſſemblie to the parliament in favoᵛȩ of the E Dumfermling Redd And ꝑefter the E Dumfermlein callit to the parliament ꝛ ordaned to ſitt ꝛ voyce

ORDANES the comitteeis to meitt at tuo efternun ꝛ the morrow at eight hourȩ and the pliament at ten hourȩ

Minuttȩ Redd

. . . . . .

PROCLAMAᵒNE anent the ſchyres of Edinburgh Linlithgow and Hadingtoun 9

. . . . . .

ACT anent the ordaneing of a ſolemn faſt to be keepit, and appoynting the tyme of his Mãties coronation and ordaneing Proclamation anent the day of his Mãties Coronation to be publiſhed 10

. . . . . .

ACT anent the ſhyre of forfar 11

. . . . . .

ACT and Comiſſione concerning the L. pitſligo ꝓtra forbes 12

. . . . . .

ACT in favoᵛȩ of þe E dumfermlin 13

. . . . . .

XXX NOVEMBRIS.

[MINUTES.]

Vltimo no^{r} 1650 5ª dies parliam.

DOMINO REGE PRESENTE

Prayer^{s} heard and roll^{s} callit

LETTER from Johne Denholme to the Lord Chancelar Redd in pliament and remitted to the comittee for the militarie effair^{s} to think wpoun a ge^{ll} comiſſ^{r}

REPORT from the Comittee for the militarie effair^{s} Redd

THAT fyve letteris be drawin to be ſent to thoiſ^{e} who ſhould haue bein preſent to give ane accompt of the muſter w^{che} ſhould haue bein at the randevouſ^{e}

REMONSTRANCE and petitione from the Comiſſionar^{s} of the ge^{ll} aſſemblie to the Kingis Mãtie and eſtaitt^{s} of pliament preſented be M^{r} Ro^{t} douglas and certane other^{s} Comiſſio^{rs} of the ge^{ll} aſſemblie w^{t} ane ſupplica^{o}ne from the miniſter^{s} in Lothiane to the moderato^{r} and Remanent Comiſſioner^{s} of the Aſſemblie, w^{t} ane other ſupplica^{o}n from the miniſter^{s} of Tueddaill to thame, w^{t} ane paper conteaning the ſenſ^{e} of the Comiſſioner^{s} of the ge^{ll} aſſemblie wpoun the weſterne forces remonſtrance, with ane other paper, bearing a warrand to preſent the ſenſ^{e} of the comiſſioner^{s} of the kirk anent the remonſtrance, and concerning the pticular^{s} chargit wpoun the tuo brethrein Redd in pñs of pliament, The Lord Chancelar In name of his Mãtie and eſtaitt^{s} of parliament did returne thame hartie thank^{s} for þ^{r} ſeaſonable warning and conſtant correſpondence, and further deſyred that ſince the ſad treuthes mentionat in the paper ar generally reflecting wpoun all, That they would be at the paynes to tak tryell of þe pticular^{s} that ſua they may be applyed to the ry^{t} pteis, and as to the laſt deſyre anent þ^{r} goeing on againſt the enemy, declairis that they ſhalbe cairfull to go activelie about the ſame as God ſhall give thame aſſiſtance

. . . . . .

[(1) REMONSTRANCE and Petition of the Commiſsioners of the Generall Aſsemblie

Perth 29 November 1650

To the Kings Matie and the Right hono^{ble} the Estates of Parliament, The Humble Remonstrance and Petition of the Comiſsioners of the Generall Aſsembly.

THE great and wonderfull goodneſse of our God that in this time of ſo ſadd diſpenſationes toward this afflicted Kirk and Kingdome: this pretious Libertie is permitted gow of aſsembling gour ſelues together in this Supreme Judicatorie: As it is a mater of great praiſe to his name, ſo we conceave it putteth ane obligation vpon yow and us to improve it to the vttermoſt for the good of the Kirk Cauſe and people of God at this time. And in conſideration heirof we Judge it neceſsarie according to our wonted freedome with gour Lo^{pis}, Humbly to Repreſent to gow how neceſſarie it is in this time when the Lord is calling to mourneing, that gour Lo^{pis} ſearche and try that gow may find out what in gour publick adminiſtrationes or privat converſationes hes contribute to the Kindling of this great wraith burneing againſt the land. And for gour Lo^{pis} help heirin we humbly lay before gow theſe particular^{s} following

1 WHAT ever hes bene your Lo^{pis} ſenſe of that paper pñted to gow from the Gentlemen officer^{s} and miniſter^{s} attending the forces in the weſt, Yet we wiſche gow ſeriouſlie to lay to heart the many ſadd treuthis contained therin: We will not heir mentioun the ſinnes relateing to the King and the Royall familie haveing particularly preſented theſe to his Maties ſelff, and appoynted a day of ſolemne humiliation to be obſ^{r}ved therefore. Bot we doe with all earneſtnes exhort your Lo^{pis}/to take to conſideration the ſinnes therin held furthe relateing to your ſelffis, and to mourne before the Lord for them, And particularlie and in the firſt place that your Lo^{pis} will impartially and in a ſelff denying way as in the ſight of the Lord ſeriouſlie conſidder, if there hes not bene, at leaſt in ſome of gow, ſinfull precipitancie vnſtreight deſignes and carnall policie in appoynting addreſses for treating with the Kings Matie/and in the way of carieing on and cloſeing the ſame, And what vpon ſerious ſearche gow ſhall find therin that gour Lo^{pis} may give glory to God in ane ingenuous acknowledgement and confeſſion theroff and ſincere humiliation before him for the ſame.

2 AS we humbly deſire gour Lo^{pis} to be exceidingly watchfull over gour heartis and to bewaire of harbouring any prejudices of or relenting in gour affection to the Godly in the Land, whom God hes honoured to be verie inſtrumentall in his work, So to ſearche if there hes bene at this time amongſt gow any purpoſes or reſolutiones tending to a ſinfull complyance with the enemies of the Cauſe of God; and what vpon inquirie ſhall be found of this kynd to lye low before the Lord therfore; And withall to guaird for the future againſt all inclinationes of making vſe of any ſcandalous malignant or diſaffected perſones for publict truſt, or of admitting any to employment in gour counſell^{s} or army except in the way aggried vpon by the publict reſolutiones of churche and ſtaite.

3 HOWBEIT we have gour Lo^{pis} in very high eſtimation, and deſire to look vpon all gour actiones

with reverence & reſpect, and ſhall be moſt cairfull not to ſtreatch our ſelffis begond our lyne in theſe civile affaires properly ſubject to 3our Lopis / cogniſcance: Yet conſiddering the many thochtis of heartis Inreſpect of theſe actis of Indemnitie granted by your Lopis / to theſe that were now in armes in this late rebellioun (though we will not offer to queſtion what 3our Lopis / might doe for preſervation of the Kingdome in ſueh a condition as it now ſtandis in) we humbly intreat 3ow to conſidder whither that neceſſity which is held furth as the Cauſe enforceing 3ow to this Courſe hes bene occaſioned by any ſlakneſs neglect or omiſsion of endeavouring to improve the power God hade putt in 3our handf for timeous ſuppreſſing ſuch as were makeing inſurrection and diſturbeing the publict peace of the Kingdome & bringing them to Juſtice: And withall to conſidder whither any neceſſitie can excuſe for the not giveing theſe wicked menf courſe the deſerved name and 3our nevir once termeing it rebellion. Likewiſe whither it doeth not entrenche vpon the preſent conſtitution of Government in this Kingdome, & will not involue 3our Lopis / in the guilt of theſe mens ſinne, if 3ow ſhall accept of there laying doune of armes, meerely vpon the profeſsion of obedience to the Kinges Maties cōmand without the expreſsion of any reſpect or obedience to the Cōmittee of eſtaites, or any acknowledgement of there ſinne and offence, whiek we hope 3our Lopis doeth look vpon as a moſt vnnaturall & vnſeaſonable rending of the Kingdome in the time of its heavy oppreſsion by a cōmone enemie, to the ſtrenthening of his handis, and expoſeing the Kingdome to all miſerie and ruine.

4 THE great foreſlowing of that ſo important a buſineſſe the purgeing of the Kingis family, notwithstanding the many addreſses we have made to 3our Lopis / theranent, as we deſire may be looked vpon, as no ſmall guiltneſse, So we hope and deſire that yet once for all yow will take ſome effectuall courſe for purgeing the Kinges family of all ſcandalous and diſſaffected perſones, and conſtituteing it of perſones of knowne integritie and affection to the Cauſe of God, As alſo for Debarring all Malignant and diſaffected perſones from acceſse to the Kinges Matie and the Court. Wee doubt not bot your Lopis / does conſidder how ſadd effectf the land hes alreddie found of ſuch mens influence vpon the King; whereff belike we ſhall find more and more, if 3our Lopis / wiſdome and faithfulneſse doe not prevent it. Let the wicked be removed from the King & his throne ſhall be eſtabliſhed in righteouſneſse.

5 IN the ſearch of your Lopis / perſonall guiltineſse (a Dutie as incumbent to all at this time ſo eſpecially to 3our Lopis /) we ſchall intreat yow not only ſeriouſly to examine and Impartiallie to Judge your ſelues of theſe ſecreit ewills not obvious to the eyes of men, as covetouſnes ſelff ſeiking mixing your privat intereſt with your publict adminiſtration or if there be any other hidden thinges of diſhoneſtie, bot alſo the ſinnes and ewillis of 3our wayes and walking in your families & toward your tennentis vaſſallf and theſe vnder 3our cōmand: We doe in the ſeir of the Lord exhort 3ow to conſidder the odiouſneſse of that ſinne of oppreſsion ſo much abounding in the Land, the loud cry it hath in the eares of the Lord of hoaſtis, how the overburdening of the poore ones vnder there maſterf and landlordf, puttis them to extremitie of toyle, night & day to the ſpending & abaſeing of there ſpirites, the takeing them off all cair of Duties relaiting to there ſoullis and ſpirituall condition, and renderf them in the time of the Kingdomes ſufferingis vtterly vnable and vnwilling to doe or act any thing againſt the cōmone enemie And for there countreyes delyverance.

6 WE doe in the laſt place deſire 3our Lopis / by all the Bondf wherby yow ſtand obleidged to the preſervation of Religion, Libertie, the Kinges māties honour and happineſse to look vpon the ſadd condition of this diſtreſsed and diſtracted kingdome, and to improve your ſelues to the vttermoſt for its help and releiff: If the ſenſe of honour and principles of meere naturall affection to þ countrie did ſet on ſome of 3our progenitorf to ſhew ſo much valour in the defence of there nation from the vnjuſt Invaſion of enemies in former times, as hes rendred them famous and there memorie precious to after generationes what a ſtaine ſhall it be vpon 3our Lopis / if it ſhall be recorded to the poſteritie that in this generation the time of 3our publict adminiſtration and the Lordf honouring 3ow to be at the helme, all that deludge of miſerie and ſlaverie both vpon our conſciences and eſtaites ſhall come vpon us, which is threattenned by the crewell adverſarie now trampling a great pairt of the Kingdom and ordinances of God þ'in vnder his feett. We deſire 3our Lopis / with compaſſionat heartis, to look vpon the Deplorable condition of the citie of our Solemnities, and theſe pairtf of the Kingdome now vnder the yoake of that crewell enemie; ffor 3our further information of there miſeries your Lopis may look on the Supplication heirwith pñted of ſome Miniſterf of theſe pairtf now chaſed from there flockis and families. If there be any fellowſchip of the ſpirite, any compaſſion any bowellis of love, beſtirre your ſelffis and goe actively about the proſecution of this defenſive warre againſt ſo crewell & vnjuſt Invaiderf of our Religion Liberties & nation, who by there vplifted handis to the moſt high God ſtand obleidged by Covenant to the defence of all theſe; And for this effect goe vigorouſlie about the recruitting and vniteing of 3our forces, the purgeing of them of ſcandalous and diſaffected perſones, the repreſsing of exorbitancies plunderinges and oppreſsiones of 3our officerf and ſouldierf, vnder

which the land is groāing, ꝛ the trieing of ꝛ takeing ordour with there takeing of money for men ꝛ horſe, to the great diſappoyntment of the ſervice ꝛ betraying of the Kingdome to the enemie. IT is high time for gow to aryſe and awaken gour ſelffis ꝛ otherꝭ, to ſhew gour ſelffis Valiant for the Cauſe and Cities of our God; Ariſe, vp and be doeing, and our prayer ſhall be that the Lord our God may be with gow.

A Ker

Vltimo no^{r} 1650

Producit be Mr Ro^{t} Douglas and red in pñs off the Kingꝭ Majeſtie ꝛ Par^{t}]

. . . . . .

[(2) SENCE of the Commiſsioners of the Generall Aſsembly upon the Western forces Remonſtrance

Perth 28 November 1650.

THE Comiſsion of the Generall Aſsembly Having received from the honō^{ble} Comittee of Eſtates a paper Declaring their Lor^{ps} / ſenſe vpon a paper given in to them Entituled The Humble Remonstrance of the gentlemen officers and miniſters attending the forces in the west And deſireing withall That the Comiſsioners of the Generall Aſsembly wold give their ſenſe vpon the ſame Remonſtrance Therfor the Comiſsion Having taken in conſideration the ſaid Remonſtrance Do ffind and acknowledge therin to be contained many ſad truethes in relation to fines charged vpon the King his family and the publick Judicatories which alſo we are Reſolved to hold out and preſse vpon them in a right and orderly way Together with ſuch other fines as we can find by vnpartiall ſearch and the help of the Lords ſpirit vpon our endeavoures therin That they may take with them and be humbled befor the Lord in the ſenſe therof. We Do alſo find it our dewty to ſhew that inreſpect there ſeemes to be therin entrenching vpon ſome concluſiones and determinationes of the Generall Aſsembly And in reſpect of inferences and applicationes made therin in relation to the King, his intereſt and the exercyſe of his power and government and in regard of the engagments which in the cloſe therof They Declare to be vpon their hearts befor God in relation to endeavoures for remeding the things contained in it, We are diſſatiſfied therwith And that we think it apt to bread diviſion in this Kirk and Kingdome as we do alreadie find in part by experience, And that the enemy hes taken advantage therat And Becauſe of the tender reſpects and love we owe and moſt cordially cary to the gentlemen, officers and our brethren of the Miniſtrie who have concurred in the ſaid remonſtrance, as being religious and godly men, and ſuch as have alwayes given proofe of their integrity faithfulnes and conſtancie in the cauſe of God and for entertainment of love vnity and conjunction amongſt the people and ſervants of God in acting according to every mans calling and ſtation againſt the publick enemy The breach of all which Satan is at this tyme eaggerly dryveing at and the enemy is greedily deſireing and expecting We Do Reſolve to forbeare a more particular examination of the ſaid Remonſtrance Expecting that at the nixt dyet of the meeting of this Comiſsion Theſe worthie gentlemen officers and Brethren will give ſuch a Declaration and Explanation of their intentiones and meaning therin as may ſatiſfie both Kirk and State without any further enquirie or debate thervpon.

A Ker

30 No^{r} 1650

Producit be Mr Ro^{t} Douglas moderator ꝛ red in pñs off par^{t}]

. . . . . .

[(3) WARRAND be the Commiſsion of the Generall Aſsemblie to their Commiſsioners for preſenting some Papers

Perth 29 November 1650

THE Comiſsion of the Generall Aſsembly Appoynts thé brethren who are to preſent the humble Remonſtrance and petition to the Parl^{t} to give alſo to their Lo / the ſenſe of this Comiſsion vpon the remonſtrance of the gentlemen, officers and miniſters with the forces in the weſt which the Comittee of Eſtates deſired them to take in conſideration And concerning the particulars charged vpon two brethren of the Miniſtrie They are to ſhow their Lo / That ther being no particular evidences given in nor proofes offered And the Brethren purging themſelfes the one by word the other by writ This Comiſsion wes ſatiſfied with their declaration

A Ker

30 No^{r} 1650

Producit be Mr Ro^{t} Douglas and in pñs off the Kingꝭ Majeſtie ꝛ Par^{t} red]

. . . . . .

ORDANES the Comittee of the militarie effairꝭ to meitt preſentlie and the parliament at 4 efternun

ORDANES tuo of evrie eſtaitt to be addit to the Comittee of the militarie effairꝭ to be named at the firſt meting of the bodyes

LETTER from ge^{ll} maior holburne to the M / Argyll Redd in pliament ꝛ referred to the Comittee of the militarie effairꝭ quho ar to meitt at tuo efternun

ORDANES the Comitteeis to meitt at tuo of the clok and the parliament at four of the clok

Minuttꝭ redd

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

REPORT from the Comittee for the militarie effairſ Redd the firſt pt þ'off conteaning exonera°ne to the Liveten. ge^{ll} and approba°n of his faithfulnes voyced and approvin and ordanes ane act to be drawin þ'wpoun, and þ'efter the other four artickles lykwayes approvin

THE artickle of þe report ordaneing the wholl forces of the kingdome to be wnder on comand voyced and approvin

REMITTIS to the ſeverall bodyes to tak in conſidera°ne the aſſocia°ne in the weſt

THE Parliament appoyntſ the Lord Angus, Ld Humbie, L^{d} nithrie, L^{d} balhouſſie, bachiltoun Sr Jo^{n} Smyth Patrik roſß & M^{r} Jo^{n} paterſone or any four of thame and thair quorum to be a Comittee for grevances & wrongis comitted by officiarſ or ſojo'rſ, and ordanes the firſt draught of the Comiſſion to be ſoght

ORDANES the nixt meitting of pliament to be on monday at ten hourſ

THE Quere quither in reſpect of þe augmenta°nes of the miniſterſ ſtepandſ granted ſince the laſt valua°ne of þe rent in the ſhyres of this kingdom The teynd and teynd dueties payed out that way to miniſterſ may be free of payment of mentenance and publict dues in all tyme coming Remitted to be conſiddered be the ſeverall bodyes

. . . . . .

14 LETTERIS ſent from the parliament to thoiß who ſhould haue bein preſent To give ane accompt of the muſterſ w^{che} ſhould haue bein at the randevouze

. . . . . .

15 ACT of exonera°n and approba°ne in favo'rſ of the Livetennent ge^{ll}

. . . . . .

16 ACT ordaneing the haill forces of the kingdom to be wnder on comand

. . . . . .

17 ORDOURIS for þe Ld Laweris regiment to marche to ſtirling

. . . . . .

THAT all the forces in the weſt go wnder the Comand of Co^{ll} Ro^{t} mongomrie 18

. . . . . .

ORDOUR for þe Collector of the mernes to anſ'r 200 bollſ of meall to Co^{ll} Ker of Greinhead for his regiment 19

. . . . . .

ACT of exemptione to the M^{r} of Argyllſ diviſione of Inuernes from out putt of horſ or dragounes 20

. . . . . .

REMONSTRANCE fra þe Comiſſ'rſ of the gñall aſſemblie to þe parliament 21

. . . . . .

COMMISSIONE for greevances 22

. . . . . .

11 DECEMBRIS.

[MINUTES]

2 der^{is} 1650 6^{a} dies parliam.

DOMINO REGE PRESENTE

Prayeris heard and rollſ callit

SUPPLICA°NE Sr George Melveill Remitted to the Comittee of billſ

REPORT from the Comittee for þe militarie effairſ w^{t} ane letter from the parliament to thoiß who comandſ and attendſ the armie in the waſt, and inſtructiones to be ſent þ'w^{t} Redd and approvin

ORDOURIS for Lochkilkerran

REMITTIS to the Comittee for the militarie effairſ to think how Co^{ll} ſtrauchanes chairge ſhall be ſupplyed

REMITTIS to the Comittee for the overturſ to think wpoun a way for ordoring of the hous

ORDANES a Comittee of three of evrie eſtaitt to be named be the ſeverall bodyes at þ^{r} nixt meitting for reveiſing the actſ of þe Comittee of eſtaittſ

THE Kingis Mãtie & eſtaitſ of parliament Ordanes a new privie ſeall to be maid ~~to ſupplie the other for þe preſent~~ w^{che} ſeall ſhall bear his Mãties armes & thir wordſ Carolus ſecundus dei gratia Scotiæ Angliæ Franciæ et Hiberniæ Rex and ane act to be given to the graver for his warrand

REMITTIS to the Cōmittee who wes appoynted to ſett doun the ſolemnities and ceremonies of the coronatione to think what further is to be done anent expenſſ or coyne at the corona°ne ꝛ to give in þr report wt diligence, and ordanes Scottiſcraig to be preſent wt thame

SUPPLICA°NE L/adie Redd and paſt

SUPPLICA°NE Jon Lindeſay comiſſioner for anſtruther wt the report from the Comittee of billꝭ, Redd, the ꝑties ordaned to be warned and the quartering diſcharged in the mean tyme

COMISSIONE for trying ꝛ putting to execu°ne of Johne mcwilliame, margareat mcinlay margareat mcmurich for þe cryme of witchcraft ꝛ ordanes the magiſtratꝭ of dumbartā to putt the remanent pſones to libertie wpoun caw°n to anſr to wnderly the law

SUPPLICA°NE L/erſkyne And L/Glenwrquhy Remitted to the exchekqr, to meitt on fryday eſternun ꝛ pſons intereſted to attend

ORDANES the bodyes to meitt at tuo eſternun, The comitteeis at three hourꝭ, and the parliament the morrow at nyne hourꝭ

. . . . . .

23 ORDOURIS for Lochkilkerran

. . . . . .

24 ACT ꝛ warrand for making of a new privie ſeall

. . . . . .

III DECEMBRIS.

[MINUTES]

3 Decembris 1650 7a dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and Rollꝭ callit

LETTER from Wm ſtewart to the M/argyll concerneing Inchgarvie Redd ꝛ remitted to the Comittee for militarie effairꝭ

ORDANES the theſurar deputt and Rot hepburne of Keath to goe to the weſt cuntrie with the Letter and inſtructiones to be ſent thair

LETTERIS, on from Gell maior holburne to the M/argyll, and ane other from Coll Rot mongomrie to the L/chancelar Redd and remitted to the Comittee for þe militarie effairꝭ

THAT a Letter be wreattin from the king ꝛ pliament to the gell livetennant to returne wt all diligence Immediatlie efter the receat of þe letter

THE Eſtaittꝭ of parliament nominattꝭ and appoyntꝭ Sr Johne ſmyth to be gell comiſſr efter voyceing

THE parliament ꝯtinewes the E/Lawderdaill in the ſame conditione as he wes till his ſupplica°ne be takin in conſidera°ne be the parliament, and declairꝭ the expyreing of þe dyett not to be preiudiciall to him till he gett the parliamentꝭ anſr

ORDANES the Comitteeis to meitt at tuo eſternun, and the Comittee for þe expenſſ of the Coronation to meitt the morrow morning, and the parliament to meitt the morrow at nyne hourꝭ

Minuttꝭ Redd

IV DECEMBRIS.

[MINUTES]

4 Deris 1650 8a dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

THE oath of parliament takin by all the memberis who wer not preſent at thair firſt meitting of parliament

REPORT from the Cōmittee for the militarie effairꝭ wt ane letter to Coll mongomrie, and ane other to the Comanderꝭ of the weſterne forces Redd the letterꝭ approvin

THE ſecond artickle anent the additionall forces approvin

COMISSIONE for the Greevances Redd and paſt and ordanes thame to meitt the morrow at ten hourꝭ in the toun councell hous

THE thrid artickle of the report anent the lr̃es to be wreattin to the ſhyres approvin

REPORTS concerning lerber donypace falkirk deny ꝛ otherꝭ approvin

THE 4 artickle anent the wreatting of ane letter to the moderator of the Comiſſionerꝭ of the gell aſſembly approvin

ACT diſchargeing the exemp°nes from payt of the meall wche is to be layd in to the garieſones Redd and paſt

LIST of pſones Receaved by the Comiſſionarſ of the geⁿ aſſemblie ꝛ recomendit to the parliament Redd ꝛ the officiarſ recomendit to the geⁿ ꝛ Geⁿ Livetennent to be employed as they deſerve

REPORT ſhirefdome of Kincardyne Redd and approvin

ACT of þe comittee of the kirk anent the E Linlithgow Redd remitted to the ſeverall bodyes

SUPPLICAᵒNE ꝛ report L cranſton Redd ꝛ remitted to the ſeverall bodyes

SUPPLICAᵒNE and Report E Lawderdaill Redd and remitted to the bodyes

LIST of the Comittee for orkney ꝛ zetland Red ꝛ paſt prout in ſcriptis

ORDANES the ſeverall bodyes to meitt at tuo efternun the cõmitteis at four, and the parliament the morrow at nyne hourſ

Minuttſ Redd

. . . . . .

25 ACT anent the additionall forces of the kingdom

. . . . . .

26 LETTERIS wreattin to Coⁿ Roᵗ mongomrie, and to the weſterne forces and to the ſeverall ſhyres

. . . . . .

27 ACT in favoᵘrſ of þe parochineris of falkirk

. . . . . .

28 ACT in favoᵘrſ of þe parochinarſ of Lerber donypace ꝛ cᵉ

. . . . . .

29 LETTER to the moderator of þe comiſſionerſ of þe geⁿ aſſemblie

. . . . . .

30 ACT diſchargeing exempᵒnes from payᵗ of meall to the garieſones

. . . . . .

31 ACT in favoᵘrſ of pſones recomendit to the parliament be þe Comiſſionarſ of the geⁿ aſſembly who have given ſatiſfacᵒne

. . . . . .

32 ACT in favoᵘrſ of þe ſhirefdom of Kincardyne

. . . . . .

33 LIST of the Comittee of war of orkney and zetland

. . . . . .

V DECEMBRIS.

[MINUTES]

5 Decemb. 1650 9ª dies parliam.

DOMINO REGE PRESENTE

Prayeris heard and rollſ callit

REPORT from the Comittee Anent the ſolemnities ꝛ ordoᵘrſ for his Mãties coronatione Redd ꝛ Remitted ſua far as concernes the pſones, to the Kingis Mãtie ꝛ ſuche as he ſhall call of þe parliament to fill wp the pſones ꝛ to report, And appoyntſ the Comitee of overturſ and ſuche memberſ of parliament as wes wpoun this comittee formerlie, and the Commiſſionerſ for the theſurarie, to think wpoun the finding out of the money, and to reveiß and conſidder the report, if any thing be neceſſʳ to be addit þᵗto or altered þᵗin To meitt efternun

LETTER from the Kingis Mãtie and parliament to the ſeverall ſhyres ꝛ burrowis for additionall forces by ꝛ attour the former levies Red and approvin ꝛ remittis to the Comittee for þe militarie effairſ how the ſame ſhall be intimat to the ſhyres beſouth forth

THE motione anent the recreuting of his Mãties Lifguaird Remitted to the Comittee for the militarie effairſ

LETTERIS on to the forces in the weſt and ane vther to Coⁿ Roᵗ Mongomrie Redd and approvin

[Right honourable

WHILE wee were about to diſpatch the former letters from the Kings Maᵗʸ, and the Parliaᵗ, Wee receaued Intelligence of what hes befallen yoʳ forces at the late infall at Hãmilton, Whereof Wee could not but take notice, and ſhew yow that Wee are very ſenſible of yoʳ Condition: And out of oʳ tender Care of the preſervation of that Countrey, and theſe forces Wee did ſend Col. Montgomry thither, for yoʳ affiſtance Earneſtly deſiring yow, to join, and act with him againſt the Enemy And to receav ꝛ obey his ordoᵘrſ In wᶜʰ reſolution Wee are now the more Confirmed by that late renconter wᵗ the Enemy, Who wee hear is ſtill in that Countrey. Wee haue lykewyse wretten the ſame to Col. Montgomry, that yow may join, and take the ſafeſt way yow can, for draweing together, And aſſure yow that nothing ſhall be wanting for yoʳ encouragᵉ, and aſſiſtance, that lyeth in the power of

Your affectionat freends.

Perth 3ᵈ Decembrſ 1650.

LOUDOUN Canᵗrius.

I. P. D. P.]

. . . . . .

REMITTIS to the Comittee for the militarie effairꝭ To conſidder who ſhall go wᵗ Sʳ Charles erſkyne to dunbartane and to conſidder of the hous of Dunglaſſ ⁊ they to haue thair diſpatche this efternun

REMITTIS to the Comittee for the militarie effairꝭ to Conſidder of the caſtell of Edʳ ather by thameſelffis or ſuche of thair number as they think fitt

ORDANES Joⁿ Jafray and James ſword to ſpeik wᵗ the miniſterꝭ of perth anent the preſent proveiſt ⁊ report the nixt ſeſſion

THE parliament diſpenſſ wᵗ the theſurar deputt and Keithes goeing to the weſt notwᵗſtanding of ꝑr former ordoʳꝭ

REPORT concerning the priſonerꝭ at newcaſtell Redd and approvin

ORDANES the nixt meitting of parliament to be at tuo efternun ⁊ the Comitteeis to meitt efter the diſſolving of parliament

Eodem die poſt meridiem

DOMINO REGE PRESENTE

REPORT from the Cõmittee of Billꝭ anent the preſbetrie of Dumfermlein Redd and Remitted bak to the Cõmittee of Billꝭ and the comittee that ſett doun the quantitie of victuall ⁊ to report the morrow

REPORT Cornet Johne hay

REPORT from the Cõmittee of billꝭ conceerneing the E / Lauderdaill Redd and approvin

RECOMENDAᶜᵒNE from the Com: of the geⁿ aſſemblie concerneing the E / of Linlithgow Redd ⁊ ꝑefter the fᵗ E / callit in ⁊ ordaned to ſitt ⁊ voyce in parliament

SUPPLICAᶜᵒNE L / Cranſtone and recomendaᶜᵒne from the Comiſſionerꝭ of the geⁿ aſſembly in his favoʳꝭ Redd and The report approvin

QUEERE anent the additione to the Cõmiſſione for greevances Remitted to the ſeverall bodyes

REPORT toun of anſtruther weſter Redd and approvin

REPORT Sʳ James Lockhart Redd and approvin to liberat him from baniſhment

SUPPLICATION Sʳ Joⁿ ſmyth Remitted to the ſeverall bodyes

ORDANES the Comittee for the militarie effairꝭ to meitt this night the Comittee for ꝑe coronaᶜᵒne to meitt the morrow at 7 hourꝭ the parliament at nyne hourꝭ

Minuttꝭ Redd

. . . . . .

LETTER to the ſeverall ſhyres and burrowis for additionall forces 34

. . . . . .

ACT anent the priſonerꝭ at Newcaſtell 35

. . . . . .

ACT in favoʳꝭ of the E. Lauderdaill 36

. . . . . .

ACT in favoʳꝭ of the E. Linlithgow 37

. . . . . .

ACT in favoʳꝭ of the L / cranſton 38

. . . . . .

ACT in favoʳꝭ of the toun of Anſtruther weſter 39

. . . . . .

ACT in favoʳꝭ of Sʳ James Lockhart 40

. . . . . .

COMMISSIONE to Sʳ Ja Halkheid for keiping Inchgarvie 41

. . . . . .

THE warãd wᵗ the Lr̃es to the weſt forces 42

VI DECEMBRIS.

[MINUTES]

Sexto Decembris 1650 10ª dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

LETTER from Mʳ Roᵗ Douglas To the L / Chancelar Redd

LETTER from the parliament to the moderator of the Comiſſionerꝭ of the geⁿ aſſemblie Redd and approvin

ORDANES the Comittee appoynted to reveiß the paper anent his Mäties coronatione to meitt efter the exchakqr, and the remanent Committees to meitt at tuo efternun ꝛ the parliament to meitt the morrow at nyne hourꝭ

. . . . . .

43 LETTER wreattin to the moderator of þe Commiſſione of þe geⁿ aſſemblie

. . . . . .

VII DECEMBRIS.

[MINUTES]

Septimo Deꝯ 1650 11ª dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and Rollꝭ callit

REPORT E/Bramfoord from the Comittee of billꝭ Redd and approvin

THE oath of parliament takin be all memberꝭ of parliament who had not takin the ſame formerlie in this ſeſſione of parliament

SUPPLICAᴼNE ſhyre of aberdein and ane vther from the Engliſh gentilmen paſt prout in ſcriptis

REMITTIS to the Cõmittee for the militarie effairꝭ to tak courß wᵗ the quartering ꝛ diſpoſall of the tuo regimentꝭ who cam laitlie from Angus viz Sr Roᵗ adairꝭ ꝛ Coⁿ ſtuartꝭ regimentꝭ

ORDOURIS for electing of comiſſionerꝭ from the toun of Edr to the parliament paſt

REMITTIS to the Comiſſionerꝭ for the ſhyres of fyff perth and angus and the L/ clerkingtoun and Sr Johne ſmyth to ſett doun ſum courß for cariadge of the victuall to ſtirling from this

REPORT from the Comittee of billꝭ anent the E Weymes his caſuall rent Redd ꝛ comiſſione granted for revalueing ꝛ reporting

RECOMENDATIONE from the Comittee of eſtaittꝭ to the Eſtattꝭ of parliament in favorꝭ of þe L/ wolmet Redd and Approvin, and the fⁿ L/ allowed to remayne wᵗin the cuntrie and in his Mäties ſrvice

REMITTIS to the Comittee for the militarie effairꝭ, and the Liveten. geⁿ to be with thame, to think wpoun ſum courß to be takin wᵗ the priſonerꝭ takin at ſea, and report

REPORT from the Comittee of billꝭ concerneing the Lady Glenegeis, Remitted bak to the Comittee of billꝭ

REMITTIS the quartering of Sr George preſtones regiment to the comittee for þe militarie effairꝭ

REPORT alexr ferqr Redd and paſt

SUPPLICAᴼNE ꝛ report L/auchtermarny Redd ꝛ remitted to the Lordꝭ humby toftꝭ ꝛ clerkingtoun or any tuo of thame, that it may be done formallie ꝛ concludit be thame

ACT in favorꝭ of þe toun of dumfermlein

ORDANES the Comittee for the militarie effairꝭ to meitt at tuo efternun ꝛ the Comittee of billꝭ, and the parliament to meitt on monday at ten hourꝭ

Minuttꝭ Redd

. . . . . .

ACT in favorꝭ of þe E off Bramfoord 44

. . . . . .

ACT in favorꝭ of certan Ingliſh gentilmen 45

. . . . . .

ACT for electing Comiſſionerꝭ for þe toun of Edr 46

. . . . . .

COMMISSIONE for revalueing of þe Caſuall rent belonging to the E / of weymes 47

. . . . . .

ACT in favorꝭ of the Lord wolmett 48

. . . . . .

ACT in favorꝭ of Alexr ferqr 49

. . . . . .

ACT in favorꝭ of the toun of Dumfermlein 50

. . . . . .

IX DECEMBRIS.

[MINUTES]

Nono Decembris 1650 12ª dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and Rollſ callit

THE parliament Gives power to the Comittee for the militarie effairis to grant comiſſiones for getting of armes, and qᵗ they do þ'in gives warrand to the Lᴅ Chancelar to ſubſcryve the ſame as if it wer the deed of þe pliament

ORDANES tuo to be named be the barrones in place of thoiß who ar abſent of þe Comittee of the militarie effairſ

ORDANES the nixt meitting of parliament to be the morrow at nyne hourſ, and the Comitteeis to meitt at tuo efternun

. . . . . .

POWER to þe Comittee for militarie effairſ anent the getting of armes

51 THE Kingis Mätie and Eſtaitſ of parliament Gives full power To the Cõmittie for the militarie effairis To grant Cõmiſſiounes for getting of armes for þe vſe of þe Cuntrie and ordanis my Lord Chancellor to ſubſcryve quhat they doe therin And declairis what the Lord chancellor does ſubſcryve done be them for the wſe forſaid To be alß ſufficient as if the ſame had beine done be the haill parliament

. . . . . .

X DECEMBRIS.

[MINUTES]

Decimo Deᵉⁱˢ 1650 13ª dies parl.

DOMINO REGE PRESENTE

Prayeris heard and rollſ callit

TESTIFICATT from the miniſter of Kinaird concerneing the Vicount of Newburgh his taking of the ſolemne league and covenant Redd in parliament

ORDANES Letterſ to be wreattin to thoiß memberſ of parliament who haue bein heir at pliament and ar gone home that they returne to the parliament wᵗ all poſſibill diligence wnder the paynes ꝓteanit in the actſ of pliament

REPORT from the Comittee for the militarie effairſ anent the taking notice of þe conditione ⁊ ſtrenth of the regimentſ Redd and approvin.

THE Kingis Mätie and parliament Ordanes ſuche of þe privie councell as ar heir in toun to meitt the morrow efternun, anent ſatilling of Sʳ Wᵐ mᶜdowgall as Reſident for his Mätie in the Lowcuntries

COMISSIONE for tryell of the rentall of the landſ of auchtermerny ⁊ cᵉ ⁊ burdeanes þ'wpoun To the Lᴅ Bogy and Kinglaſſie, and they to report to the parliament or Comittee of eſtaittſ

ORDANES the ſeverall bodyes to meitt at three efternun and to conſidder of þe remonſtrance givin in be the Comiſſionerſ of the aſſemblie, and ordanes ilk body to name three of þʳ number to confer firſt among thameſelffis anent the remonſtrance and þ'efter to meitt ⁊ confer wᵗ the Comiſſionerſ of the geⁿ aſſemblie and alß how far incapacities that diſables men may be takin aff, and men admitted for defence of þe cuntrie to fight aganes the comon enemy, And to treat anent a previous advyſß concerning England

REPORT Concerneing the Erle of Callander Remitted to the ſeverall bodyes

REPORT Duik of Hamiltoun Remitted to the ſeverall bodyes

ORDANES the ſeverall bodyes to meitt ⁊ name vtherſ in place of thoiß of the Comittee for þe coronatione who ar abſent

ORDANES thoiß who ſhall be appoynted to confer wᵗ the comiſſionerſ of þe geⁿ aſſemblie to acquaynt the comiſſionerſ they ar appoynted to confer wᵗ thame

ORDANES the ſeverall bodyes to meitt at three hourſ efternun the Comittee for coronaᵒne at four hourſ The ſeverall bodyes to meitt the morrow at nyne hoᵘſ, and the haill Comitteeis efternun and on thurſday all day

. . . . . .

INSTRUCTIONES and warrand for tryall of þe Conditione of þe Regimentſ 52

. . . . . .

COMMISSIONE for tryall of the rentall of auchtermernie 53

. . . . . .

LETTER to thoiſe who are abſent from the parliament 54

. . . . . .

XIII DECEMBRIS.

[MINUTES]

13 Deris 1650 14a dies parl.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

MY Lord Regiſter excuſed in reſpect of his neceſſr abſence till he returne, and paſſ granted to his lady to go to edr

REMITTIS to the ſeverall bodyes to conſidder of the advance of a monthes mentenance, for the expence of his Mäties coronacone & neceſſr interteanment, To be uplifted furth of thoiß ptꝭ of þe cuntrie wche ar free off the enemy or any other way

PAPER givin in anent ane warrand to the Mr of the connyiehous anent coynage of gold and ſilver Remitted to the ſeverall bodyes

THE remonſtrance and petitione Givin in be the Comiſſionerꝭ of the geⁿ aſſemblie to the parliament wt the report from the body of þe noblemen, and the ſupplicacnes from Tueddaill & Lothian Redd in parliament

THE K/Mätie & parliament Gives warrand to the Geⁿ of the arteliarie to pas to the weymes to ſeaß wpoun ſuche armes and amonitione as ar in the Engliſh ſhip wche is broght in þr & to ſecure thame & Remittꝭ to the Comittee for þe militarie effairꝭ to give him his diſpatche efternun, & to meitt for that effect

REMITTIS the report concerneing the viſiteing of the forces, to the Comittee for the militarie effairꝭ

SUPPLICAcNE heritocꝭ of methven and þr tennentꝭ Remitted to the ſeverall bodyes

REPORT E / Dumfermlein Redd and Remitted to the ſeverall bodyes

THE act anent the 1000 lib ſterlin appoynted to be payed to the Engliſh gentilmen Remitted to the Comittee of billꝭ

SUPPLICAcNE ſhyre of aberdein Redd & remitted to the Comittee of billꝭ

ORDANES the ſeverall bodyes to meitt at tuo efternun The Comittee of billꝭ to meitt efter the diſſolveing of the bodyes, the Comittee for þe militarie effairꝭ to meitt at ſix at night, and the parliament to meitt the morrow at nyne hourꝭ

SUPPLICAcNES E / Levin and Geⁿ Maior holburne Redd and Ordanes actꝭ of exoneracne and approbacne to be grantit to tham & extendit

. . . . . .

COMMISSIONE Joⁿ bairdie of ſelvadge 55

. . . . . .

XIV DECEMBRIS.

[MINUTES]

Decimo quarto Derꝭ 1650

DOMINO REGE PRESENTE

Prayerꝭ heard and Rollꝭ callit

THE K/Mätie and parliament Ordanes the E/ Caſſillꝭ the L/clarkington & Joⁿ Jafray To pas and aequaynt the Comiſſionerꝭ for the geⁿ aſſemblie That ſum courß may be takin wt ſuche pſones as haue joyned and complyed wt the ſectaries

REMITTIS to the Comittee of overturꝭ wt the kingis advocatt to think wpoun ſum courß to be takin be the pliament wt thoiß who haue or ſhall joyne and comply wt the ſectaries & wt pooer to thame to examine witneſſ and to report þr proceedingis to the pliament

THE oath of parliament takin be all the memberꝭ of pliament who had not takin the ſame formerlie

REPORT from the Comittee of billꝭ concerneing Sr James Mongomrie Redd & remitted to the ſeverall bodyes

SUPPLICAcNE Duik of hamiltoun, & report from the Comittee of billꝭ þanent wt the other ſupplicacne givin in be him to the Comittee of eſtaittꝭ Redd The ſaid Duik efter voyceing Releaſed from baniſhment, and his ꝓtravention throw his goeing furth of and returne to the cuntrie diſcharged

REPORT Concerning the E / Callander Redd and approvin

SUPPLICAcNES & reportꝭ Barbara everie and barbara paterſone and Suſanna hoome Redd and The firſt tuo approvin to exeme thame from quarteringis, and the laſt approvin to exeme both for quarteringis and mentenance

REPORT from the Comittee anent the halff monthes mentenance appoynted for þe coronatione Redd and approvin & remitted bak to the ſame Comittee to tak ſum courß how it may be maid effectuall wt all diligence

REPORT Lord Rae Redd and approvin

ORDANES the nixt meitting of parliament to be at tuo efternun

Eodem die poſt meridiem 15ª dies parl.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

ANSWER maid be the Commiſſionerꝭ of the geˡˡ aſſemblie to the queere givin in to thame be the eſtaittꝭ of parliament anent the perſones to be admitted to ryſe in armes ⁊ joyne wᵗ the forces of the kingdome, and in what capacitie, for defence þᵉoff aganes the armie of ſectaries ⁊cᵒ Redd The L chancelar at comand of his Mãtie, ⁊ parliament did returne thame hartie thankꝭ for þʳ readienes in giveing thair advyce ſo cairfullie, and declared they will be readie to go about to Improve the ſame to the beſt advantadge

PAPER conteaning the parliamentꝭ ſenſ concerneing the remonſtrance ⁊ petitione givin in be the Comiſſionerꝭ of the geˡˡ aſſemblie, paſt in parliament and ſent to be communicat to the Comiſſionerꝭ of þe geˡˡ aſſemblie be the L / burghley the L / Clerkingtoun ⁊ Joⁿ boſuell

THE K / Mãtie and parl. Ordanes Mʳ dauid hay To ſubſcryve all actꝭ of Parliament now in abſence of the clerk of regiſter

RESOLVED by The Kingis Mãtie and Eſtaittꝭ of parliament vnanimouſlie that thair be ane conſiderable armie raiſed for defence and releiff of þe cuntrie, from the comon enemy, and Remitꝭ to the Comittee for the militarie effairis to think how the vneitted forces of the kingdome ſhalbe employed for that vſe, and to report þʳ opinion wᵗ all ſpeid

THE oath of parliament taken be Sʳ Joⁿ ſmyth comiſſioner for þe toun of edᵉ

SUPPLICAᵒNE L / Machlene and Coˡˡ Roᵗ Mongomrie Redd ⁊ remitted to the Comittee for the militarie effairꝭ

[TO the Kings most Exᵗ Ma. and the high Court of Parliaᵗ, the Petition of the Lord Machlin and Collonell Robert Montgomerie

Humbly sheweth

THAT by Act of the Comittee of Estates of the 5 of septemʳ Laſt the shyres of Air and Renfrew were appoynted to putt out the Number of 500 horſes for the recruiting of our Regiments, and Collonell Kennedie of Kirkhills equallie and proportionable of the wᶜʰ Recruits your petitioners haue hitherto beene diſappoynted in regard theſe Recruits were suspended from us and applyed to theſe of the weſterne aſſociation, wee haueing gotten no recruits at all except 146 horſe or thereby wᶜʰ were given by the Earle of Eglintoun to me the ſaid Collo / Montgomerie And 39 horſe wᶜʰ I the ſaid Lord Machline haue gotten, out of Collo / Ro / Halketts Localitie out of ffyfe, Aſsigned to me in place of the recruits wᶜʰ I should haue had out of the aforeſaid shyres, And ſeing by Act of the Comittee of Eſtats of the 14 of ſeptemʳ Laſt it was ordained and by a Letter to the Gentlemen and Commanders of the ſaid fforces it wes intimated That in makeing wp the Regements of that Aſsociation nothing should be done to the prejudice of the former Leauies appoynted to be putt out by the ſaid shyres longer then their stay together in the publict ſervice, So that after that tyme our ſaid Regiments were to haue their ſeuerall proportions allotted for their recruits, As the extract of the ſaid Act and Letter heerwith readie to be produced will shew, And now ſeing the forces of that Aſsociation are ſcattered and no more in a Bodie whereby they may either evanish, or take on with other Regiments, And your petitioners contrarie to the ſaid Act and Letters will be frustrat of their Recruits and their Regiments made vnſerviceable

OUR HUMBLE Deſire is that your Ma: and the Eſtates of Parliaᵗ in purſueance of the ſaid Act and Letter wold ordaine us to haue our Recruits out of the readieſt of theſe broken Regiments, or to take them wp where they are ſcattered in the Countrie, or amongst the Regiments of the Army where they can beſt be found, And to appoynt them quarters with the reſt of our Regiments.

Perth 14. Decʳ 1650

The K. Maᵗⁱᵉ ⁊ Eſtates of parliaᵗ Remittꝭ to the Committie of Militarie effaires To mak the recruittꝭ of the foirſᵈ regᵗꝭ effectuall

LOUDOUN · Canᴴrius
I. P. D. P.]

. . . . . .

REMITTIS to the Comittee appoynted for reveiſing the actꝭ of þe comittee of eſtaittꝭ To conſidder the paperꝭ and groundꝭ of the aſſociaᵒne in the weſt, and to draw a draught for diſchargeing þᵉoff or of any vther wᵗout warrand of parliament

THE noblemen nominat to be wpoun the Comittee for reveiſing of the actꝭ of the comittee of eſtaittꝭ, E / Linlithgow, Dunfermlein, and L / coupar, L / mertoun ſtobbis and melgrund Johne ſhort George gardyne ⁊ Johne Boſuell

ORDANES the Comittee for the militarie effairꝭ and the Comittee for taking courſ for the money for the coronaᵒn to meitt efter the diſſolveing of parliament this efternun and the haill Comitteeis to meitt on monday at eight hourꝭ and the parliament at tuo efternun

SUPPLICAᵒNE Shyre of aberdein Redd ᵗ approvin

THE vther ſupplicaᵒne givin in be thame Remitted to Sʳ Joⁿ ſmyth Sʳ James murrey ᵗ Keith

. . . . . .

56 ACT In favoʳ of the duik of Hamiltoun

. . . . . .

57 ACT In favoʳ of the E: Callendar

. . . . . .

58 ACT In favoʳ of Barbara Ewerie

. . . . . .

59 ACT in favoʳ of Barbara Paterſone

. . . . . .

60 ACT in favoʳ of Suſanna Hoome

. . . . . .

61 ACT anent the half monethis manteinance appoyntit for the Coronaᵒne

. . . . . .

62 ACT In favoʳ of the Lord Rae

. . . . . .

63 ANSWER gevin in be the Cōmiſſionerſ of the gñall aſſemblie to the quere givin in to them be the parliament anent the perſones to be admittit to Joyne for defence of ꝑe kingdome

. . . . . .

THE ſenſe of the parliament Concerning the Remonſtrance gevin in to them be the Cōmiſſioʳſ of the gñall aſſemblie

64 THE Kings Maᵗᵉ and Estates of Parliament haveing, efter mature deliberatioune Conſidered the Remonſtrance tendered to them vpon the [30] day of [Nov. 1650] by the Commʳſ of the Gñall Aſſemblie do with all thankfulnes acknowledge their zeale and tender affection in giveing ſo ſeaſonable a warneing to the Parliament and Judicatories to be humble for ꝑ ſinnes in this tyme of ſadd affliction and trouble qᶜʰ are the effects and fruits ꝑof AND ALBEIT in the Paper of the 13ᵗʰ of December, 1650 from the Parliament in answere to the ſaid Remonstrance It wes Incumbent to them to cleare ſeverall points of truth in matter of fact and to remove prejudices aff the Publict Judicatories and members thereof wᶜʰ might ariſe from miſinformations and miſtakes and wes therevpon offered to bee a ground of Conference, YET it wes na wayes thereby Intended to extenuat their faults nor to Juſtifie themſelffes before God, in whoſe ſicht they profeſse and declare their vnfained desyre to bee truelie humbled not onlie for the Sinnes of the Kingdome, but likewiſe for their owne Sinnes in the Publick administration of their Places and for their Perſonall guiltines, eſpeciallie that they have not as they ought valued the Inestimable benefite of the Gospell, Or ſubmitted themſelffes to the obedience thereof, that they have not received Christ in their hearts, and walked worthie of him in their Lyves, wᶜʰ is the fountane and cauſe of vther ſinnes and failings, As wes more fullie held foorth in the cauſes of the late Publick Humiliation of the Kingdome

AS they do thinke the addreſses made to the King in his Low condition and the vſeing of Laufull meanes to begett a right vnderſtanding betuixt his Maᵗᵉ and this Nation, that hee might joyne in Covenant with God and his People for the good of Religion and of his Kingdomes, as the moſt Powerfull and Probable meanes to reſtore him to his juſt rights wes a necessarie duetie so if anie who were Imployed in the manageing of that great buſines and truſt out of their forwardnes and zeale to have the ſame ſpeedilie effectuated, did vſe precipitancie in carrying on or cloſeing of the Treatie before full and perfect aſsurances of everie condition demanded by this Church and Kingdome they are confident when the ſamen ſhall bee made to appeare they will be moſt willing to make an Ingenuous confeſsion, and be ſincerelie humble for the ſame and do bleſse God who moved the King to grant all that wes deſyred ſo ſoone as hee came to this Kingdome And although wee have in this tyme of extreme danger to the Cauſe and Kingdom efter advyce had from the Cōmiſsioners of the Gñall Aſsemblie, admitted manie who were formerlie excluded to be Imployed in the armie in this defenſive Warr againſt that armie of Sectaries, who Contrarie to Covenant and Treaties have moſt perfidiouſlie Invaded and are deſtroying this Kingdome, not dareing to omitt ſo neceſsarie a duetie for feare of a future danger wᶜʰ may enſew vpon the Imployment of ſuch, Yet it ſhall bee our Care ſo farr as God ſhall give ws Power and ſtrength, that the cauſe bee not thereby wronged, but carried on according to our firſt Principles and grounds of the Covenant, truſting that God will in the worſt of tymes have a care of his owne work. And may make the present dangers and troubles to be a meane of true repentance to theſe who have failed and to vnite ws the more ſtronglie together in this juſt and neceſsarie defenſive warr againſt the common enemie

WEE confeſse our guiltines for our *ſlownes in* purgeing the Kings familie *from scandalous* and diſaffected Perſones and for *not debarring* maligNant and diſaffeeted Perſones from acceſse to his

Matie, q^ch is of moſt dangerous Conſequence, And ſhall Indeavour according to our Power that the Kings familie may bee conſtitute of Perſones of knowen Integritie and affection to the Cauſe and Covenant and faithfull to the King and Kingdome, knoweing that the Counſells and Practiſes of ſuch as are in truſt about his Matie and have acceſse to his royall Perſone may have great Influence vpon both.

WEE do acknowledge the oppreſsions of the officers and ſouldiers by exorbitant quarterings, by vnjuſt exactions, for ſupernumeraries, Plunderings and takeing of Money for men, the applying of the ſamen to their owne vſe, and wanting the men they ſhould have for defence of the Kingdome, To bee a verie greivous ſinne and betraying of the truſt repoſed in them, of wch wee do not hold our ſelffis guiltleſse in ſua farr as (notwithſtanding the manie acts made for puniſhing of theſe Crymes and oppreſsions) the Committers thereof are not yet brought to tryall and Condigne Puniſhment, q^ch wee ſhall God willing Indevour to amend

THE oppreſsions of manie Poore Tennents q^ch Cryes loud in the eares of the Lord hath beene a ſinne much abounding in the Land from wch wee dare not purge ourſelffes to bee free in exacting more from Poore Tennents then they could well pay even in the tyme of Peace without leading a Poore and miſerable Life, And not releiving them from Publict burdens in tyme of warr ſo much as wee ought, q^r of though ſome bee leſse guiltie then others Yet there hath not beene ſuch tendernes and Compaſsion herein as ſhould have beene q^ch is a Juſt cauſe of Publict Humiliation

UPON ſerious and Impartiall examination of our owne wayes and Converſation Wee do Ingenuouſlie confeſse beſydes the Publick Sinnes of our adminiſtration in our Places, That wee have the guiltines of manie domeſticall and Perſonall ſinnes to bee humbled for before God, Wee have fallen from our firſt Love. Wee have not that zeale, vnitie and Courage wee had for the cauſe at the renewing of our Covenant in the beginning of this work of reformation. Our former Amitie and Vnitie are turned into jealouſie and diviſion. There is not that ſelff denyall Nor that Publicknes of ſpirit and ſincere walking that ought to be in the cauſe of God and of publict work as wee are honoured to bee actors in. AND if beſyde theſe faults there bee anie accuſation Or particular challenge againſt ws Or anie one of ws, Wee are moſt willing and deſyrous, that anie man that can give evidences of our faults and failings in ane orderlie and legal way, may be pleaſed to do the ſamen, And wee ſhall not ſhunne anie juſt tryall or Censure, Praying, That the Lord may turne ws from the evill of our wayes And that hee may turne away his wrath and heavie Indignation from the Land, And that wee may in his ſtrength go activelie about the ſpeedie performance of theſe dueties wee ow to Religion our King and bleeding Countrie q^ch have beene clearlie represented and ſeriouſlie recomended wnto ws by the Reverend Comm̃^rſ of the Gñall Assemblie, and to wch wee are ſo ſtrictlie bund by our Solemne Vowes and Covenant.

. . . . . .

WARRAND and ordo^r gevin to M^r david hay to ſubſcryve all actis of parlia^t in abſence of the clerk regiſter 65

. . . . . .

ACT anent the ſex thowſand pund to be payit out of the ſchyre of abirdeine for his Mãties hous 66

. . . . . .

XVI DECEMBRIS.

[MINUTES]

Decimo Sexto De^ris 1650 16ª dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and Rollſ callit

SUPPLICA^ONE Vthen Henderſone Redd and remitted to the admirall ꝛ his deputtſ to try and report

IT Being putt to the queſtione quhither or not any eaſe ſhall be granted to the ſhyres of aberdein ꝛ forfar of the quantitie of meall Impoſed wpoun thoiſ ſhyres, It wes voyced negative, and the mater of the cariadge remitted to the Comittee of billſ w^tout heiring ꝛ remittſ to the Comittee for militarie effairſ the quarteringis

DRAUGHT of a letter of mark Redd and approvin in pliament

ORDANES the haill Comitteis to meitt preſentlie ꝛ the morrow at nyne hourſ and the parliament at Tuo efternun

. . . . . .

COMMISSIONE to the admirall anent Wphen henderſones ſchipe 67

. . . . . .

DRAUGHT of ane letter of mark 68

. . . . . .

XVII DECEMBRIS.

[MINUTES]

Decimo Septimo De^{r} 1650 17^{a} dies parl.

DOMINO REGE PRESENTE

Prayer^{s} heard and Roll^{s} callit

ACT anent Lame ſojo^{r} Remitted to the ſeverall bodyes

ORDANES the precept formerlie granted to Co^{ll} Robert Mongomrie To be renewed ſo that it may be maid effectuall to him and for this effect grant^{s} precept to þe ge^{ll} comiſſ^{rs} for payment þ^{r}off

REPORT anent the cariadge of the victuall Redd and approvin

REPORT Concerning Ld Mongomrie and Co^{ll} James Mongomrie Redd and approvin

COMMISSIONE To the ge^{ll} Comiſſ^{rs} paſt and approvin

LIST off officiar^{s} Receaved by the churche Recommendit to the parliament approvin

ORDANES the Comittee for þe corona^{c}ne to meitt preſentlie, the Comittee for the militarie effair^{s} to meitt at four of þe clok, The ſeverall bodyes to meitt the morrow at eight hour^{s} The parliament To meitt at ten hour^{s}, and the Comittee for reveifing the act^{s} of þe Comittee of eſtaittis to meitt in the E^{d} of Linlithgowis chalmer the morrow at eight hour^{s}

. . . . . .

69 PRECEPT In favo^{r} of Colonell Ro^{t} Montgomrie

. . . . . .

70 ACT and ordo^{r} anent the Cariage of victuall to Stirling

. . . . . .

71 ACT in favo^{r} of the Lord Montgomrie and Coll^{o} James Montgomrie his brother

. . . . . .

72 COMMISSIONE to the Gñall Cõmiſſ^{rs}

. . . . . .

73 LIST of the officeris Recomendit by the churche to the parliament

. . . . . .

74 LETTER anent the thowſand pund ſterling due to his Maties ſ^{r}vand^{s}

. . . . . .

XVIII DECEMBRIS.

[MINUTES]

Decimo octavo De^{r} 1650 18ª dies parliam.

DOMINO REGE PRESENTE

Prayeris heard and roll^{s} callit

REPORT from the Comittee ffor the militarie effair^{s} concerning the Levies Redd & remitted to the ſeverall bodyes

A PAPER givin in anent gift^{s} and penſiones givin out of his Mãties rent^{s} remitted to the ſeverall bodyes

THAT lres be wreattin to the Conſtable and Mariſhall to be preſent at the coronatione, and that all other^{s} having intereſſ^{e} may be preſent to aſſiſt notw^{t}ſtanding of former reſtraynt^{s}

REMITTED to the ſeverall bodyes to think wpoun the way how the halff monthes mentenance to be wplifted furth of the ſhyres w^{che} ar not in the power of the enemy may be maid preſentlie effectuall

REPORT from the Comittee of bill^{s} concerneing Sr James Mongomrie Redd and approvin

REPORT Giliane Wilkie Redd, and ſhe remitted to the ſeverall bodyes to gett ſum collection

REPORT relict of Cap. M^{c}kerkan Redd & citation granted aganes Ro^{t}ſone comittar of þe ſlauchter and alſ aganes his father for any thing can be layed to his charge That what can be gottin of any of thame may be applyed to the vſ of the ſupplicant

THE Kingis Mãtie and Eſtaitt^{s} of parliament Ordanes ane act to be drawin anent the ward^{s} and mariadges of mino^{rs} whoſ father^{s} dyes in the publict ſ^{r}vice

REPORT Co^{ll} Johne browne Redd & ordanes the pties to be ceitted

REPORT Lady Glenegeis Redd and approvin

SUPPLICAoNE La: Glenegeis Remitted to the Comittee of billꝭ

REPORT Lo: Carnegy Redd and approvin

ORDANES the bodyes to name tuo of evrie eſtaitt to tak notice ꝯ receave witneſſ anent Coll ſtrauchan ꝯ otherꝭ who complyes wt the ſectaries ꝯ thoiſ to Joyne wt the comittee of overturꝭ formerlie appoynted ꝯ report

ORDANES the Livetenent Gell to call a councell of war and Remittꝭ [Johne] Moſſ to thame to be tryed and cenſured

ORDANES the ſeverall bodyes to meitt at tuo hourꝭ and efter the bodyes the ſeverall Comitteeis to meitt and the parliament to meitt the morrow at nyne hourꝭ

. . . . . .

75 ACT in favoꝝ of Sr James Montgomrie

. . . . . .

76 ACT in favoꝝ of þe relict of Capitane Mc-kerkane

. . . . . .

77 ACT in favoꝝ of the ladie glenneglis

. . . . . .

78 ACT in favoꝝ of the Lord Carnegie

. . . . . .

79 ORDOUR to þe livetenant generall to call a Councell of war anent Johne Moſſ

. . . . . .

XIX DECEMBRIS.

[MINUTES]

Decimo nono deꝝ 1650 19a dies parl.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

LETTER from Sr wm mcdowgall to the Comittee of eſtaittꝭ of the 4 deꝝ 1650 Redd in parliament

PAPER from the gell, maiſter, and officiarꝭ of þe coynehous Redd, and the firſt artickle approvin, ꝯ the remanent artickles remitted to the theſaurar deputt

ORDANES the ſeverall bodyes to meitt at tuo efternun, to think wpon the readieſt way of provyding ſuche thingis as ar neceſſr for þe coronatione

DISPENSATION Granted to the Juſtice gell and his deputtꝭ to ſitt ꝯ miniſter iuſtice notwtſtanding of the ſitting of pliament

ORDANES the nixt meitting of parliament to be efter the diſſolveing of þe ſeverall bodyes efternun

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

WARRAND to the Magiſtratꝭ of perth for Impriſoneing of fyve perſones takin be Cap. Auguſtein And Remittꝭ to the Comittee for the militarie effairꝭ to conſidder how Auguſtein ſhall be remunerat for his bygone ſrvice, and haue further preferment

CERTANE artickles for drawing the act of levie agreeit wpoun and the remanent remitted to be conſiddered be the cōmittee of militarie effairꝭ

LETTER from the Toun of Glaſgow to the Kingis Mātie and parliament of the 17 of Der Redd in parliament and remitted to the Comittee for þe militarie effairꝭ

LIST of thoiſ memberis of parliament who wndertook to be ſuirtie for payment of the proportiones of the halff monthes mentenance Impoſed wpoun the ſeverall ſhyres of fyff, Clakmannan Kincardyne perth aberdein forfar bamff and murrey Redd, Lykas the pſones þ'in mentionat wndertook in face of parliament to become ſurtie for payment þ'off

ACT in favoꝝ of officiarꝭ and ſojoꝝ who ſhall happin to be randered wnable in the publict ſrvice to provyd for þameſelffis, ꝯ haue no meanes of þr owne Redd and paſt

ACT prorogating the Comittee for the excyſſe paſt

ACT anent the taking way for bringing in of the excyſſ Remitted to the ſeverall bodyes

ORDANES the Comittee for þe militarie effairꝭ to meitt the morrow at eight hourꝭ, and the remanent Comitteis lykwayes, and the parliament to meitt at ellevin hourꝭ and to ſitt till they cloiſ the act of levie

. . . . . .

80 ORDOUR to the generall, maiſter, and officeris of the Cungie hous for coyneing money for the vſe of the Coronation

. . . . . .

81 DISPENSATIONE grantit to the Juſtice gñall and his deputt to ſitt and miniſter Juſtice notwᵗſtanding of þe ſitting of þe parliament

. . . . . .

82 LIST of ſuch memberis of the parliament who wndertook to be ſuirtie for payment of þr proportiones of the half monethis manteinance Impoſed vpon the ſhyres of fyff, Clakmānan kincardyne perth abirdeine forfar, Bamff and murray

. . . . . .

83 ACT In favoꝛt of officeris and ſouldiers who ſhall happin to be rendered vnable in the publict ſervice to doe for themſelfis

. . . . . .

84 ACT prorogatting þe Cōmittee of excyſe

. . . . . .

XX DECEMBRIS.

[MINUTES]

20 Deris 1650 20ª dies parliam.

DOMINO REGE PRESENTE

Prayerꝛ heard and Rollꝛ callit

REPORT from the comittee of billꝛ concerneing George Wood Redd and approvin

ACT of levie Redd

LIST of the Coᵘꝛ of horſſ ꝛt foott as followis viz Coᵘꝛ of horſſ in fyff E / Rothes L / Balcarrais, Colonellꝛ of foot þr E / Craufoord, E / Kellie, and L / of Bogy, Coᵘ of horſſ for ſtirling Clakmanā ꝛt Dunbartan L / Erſkyne, Coᵘ of foot for ſtirling ſhyre clakmanan ꝛt dunbartan L / Buchannan, Coᵘꝛ of horſe for perth Lord Drumond L / adie and wᵐ Drumond ſone to the Lord madertie Coᵘꝛ of foot for perth ſhyre E / athoill, Mʳ of Gray, Colonellꝛ of foot for Argyll and Boott Mᶜleane and Ardkinlaſſ, Coᵘ of horſſ for forfar, L / Ogilby, Coᵘꝛ of foot for forfar L / Carnegy L / Spynie and L / coupar Coᵘꝛ of horſſ for Kinkardyne aberdein and bamff E / Erroll and E / Mariſhall wᵗ reſᵖvaᶜne of ane troup to the Laird of thorntoun, Coᵘ of foott for Kinkardyne, Harie Mauld, Coᵘꝛ of foot for aberdein ſhyre Rothemay Tolchon younger and George Keith Colonell of foot for bamff, The maiſter of bamff, The tuo troupes out of narne murrey and L / Grantꝛ bundꝛ to be comanded be L / Innes yoʳ, Coᵘꝛ of foot for murrey Nairne and L / grantꝛ bundꝛ L / Grant and ſhireff of murrey, and the L / Duffus to haue thoiſe whom the ſhireff of murrey is bringing out of the laſt levie out of murrey, The L / Kintaill for the E / ſeafortꝛ name ꝛt freindꝛ, Balnagoun for his name, Sʳ James Mᶜdonald of ſlaitt knyᵗ for his name ꝛt freindꝛ Lymlair for the name of monro, The Tutor of mᶜleaud for his name, The Laird of Lochyell Dougall mᶜferſone, and mᶜintoſh or Lauchlane mᶜintoſh his brother, for badzenoch, Mᶜronnald tutor of Kepach for his friendꝛ, The Captane of Clanronnald yoʳ for his freindꝛ and name, the L / of Mᶜ Innen for his name and freindꝛ The E / Sutherland for Sutherland francis ſincklar for cathnes Hew mᶜkay brother to the Lord Rae or Hew Mᶜkay of ſtaurie for ſtranaver, Sʳ James Douglas for Orkney and Zetland, Red voitted and paſt

ORDANES the nixt meitting of parliament to be the morrow at eight of þe clok

. . . . . .

ACT in favoꝛt of George wood and his ſpous 85

. . . . . .

XXI DECEMBRIS.

[MINUTES]

Vigeſimo Primo Deᶜꝛ 1650 21ª dies parl.

DOMINO REGE PRESENTE

Prayerꝛ heard and rollꝛ callit

ORDANES the ſeverall bodyes to meitt and name four of evrie eſtaitt to haue a conference concerneing the liſt of þe officiarꝛ

REPORT concerneing the traine of arteliarie Remitted to the Comittee for the militarie effairꝛ

PETITIONE of the officiarꝛ of the garieſone of ſtirling Remitted to the L / burghley L / balcarras humby toftis Sʳ Joⁿ ſmyth alexʳ bowar

ORDANES the Conference to meitt efter ſermon, The ſeverall bodyes to meitt at eight, and the parliament to meitt at ten hourꝛ

RATIFICAᴼNE of the act anent the remander of 30 dayes proviſione out of aberdein and bamffſhyres for interteanment to the kingis hous

. . . . . .

RATIFICAᴼNE of þe act anent the Remainder of the 30 dayes proviſione furth of the ſchyres of abirdeine and Bamff for Intertainement of the kingis hous 86

. . . . . .

XXIII DECEMBRIS.

[MINUTES]

Vigeſimo tertio Deᶜ 1650 22ª dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

DEPOSITIONE Johne moſſ being Redd and being putt to the queſtione quhither or not he might be allowit to ſeik an exchange It wes voyced negative and The King and pliament Ordanes the Liveten. geⁿ ꝛ the councell of war to go on and Judge him as a ſpy

THE Kingis Mãtie and pliament Ordanes Thornetons troup to be wplifted furth of the Mernes

HIS Mãtie and pliament declairſ that they will nominat Livetenent Coⁿſ and Maiorſ To the Erle of Athoill, L / erſkyne L / drumond, L / ogilby the Mʳ of Gray and Harie mauld

SUPPLICAᵒNE Sʳ James Halkheid remitted to the Comittee for þe militarie effairſ

REMITTIS to the Comittee for reveiſing of the actſ of the Comittee of eſtaittſ to think ꝛ conſidder wpoun theiſ thingis wᶜʰᵉ ar appoynted to be performed by his Mãtie

ACT in favoʳſ of the E / Levin Lord Geⁿ his excellence

ACT in favoʳſ of Geⁿ Maior Holburne

ORDANES the Comittee for þe militarie effairſ to meitt at tuo efternun ꝛ the parliament to meitt at fyve hourſ efternun

Eodem die poſt meridiem

DOMINO REGE PRESENTE

CAP. Auguſtein Being callit The L / chancelar in his Mãties name ꝛ in name of the parliament did rander him hartie thankſ for his activenes in his ſᵉvice, and Intimat to him that a Cõmittee wes appoynted to think wpon a remuneraᵒne to be given him

SUPPLICAᵒNE Erle of Athoill Redd and paſt prout in ſcriptis

SUPPLICAᵒNE Gentrie of roſſ Red and paſt prout in ſcriptis ꝛ remittſ to the L / Duffus to ſie the band ſubſcryved ꝛ ſent heir

DRAUGHT of ane Letter from the king ꝛ pliament to the ſeverall ſhyres Redd and approvin

ORDANES ane claus to be addit to the act of Levie diſcharging all officiarſ or ſojoʳſ to tak any free quarterſ in þʳ marche till they come to the geⁿ randevouſ vnder þʳ heiſt perrell

THE Kingis Mãtie ꝛ eſtaitſ nominattſ wᵐ drumond to be Coⁿ in place of the E / tillybardyne

REPORT E / Dunfermlein Redd and approvin prout in ſcriptis

ACT of Levie Redd voitted and paſt

WARRAND diſchargeing the geⁿ qʳtermaſter to give ordoʳſ to any regiment to go further north

ORDANES the haill Comitteeis to meitt the morrow at eight hourſ and the parliament at tuo efternun

. . . . . .

ORDOUR for a Councell of war for Judgeing of Johne moſſ as ane Spye 87

. . . . . .

ACT In favoʳſ of the Erle of Atholl 88

. . . . . .

ACT anent the gariſones of Brand Ellendonald in Roſs 89

. . . . . .

LETTER from þe king and parliament to the ſeverall ſhyres wᵗin þis kingdome 90

. . . . . .

ACT in favoʳſ of the E : dumfermling 91

. . . . . .

ACT of Leavie

AT PERTH the Tuentie thrid day of December 92
Jᵐ vjᶜ and fiftie yeiris The Kingis Mãtie and Eſtaitſ of parliament being verie ſenſibill of the dangerous and diſtreſſed conditione of this kingdome, and moſt deſyreous according to the law of god and nature in diſchairge of there publict truſt, To wſe all lawᵘ and neceſſᵛie meanes for the ſaiftie and defence of religione his Mãties perſone and Royall authoritie lawes and liberties of the kingdome aganis ane armie of ſectaries who moſt wnjuſtlie and perfidiouſlie Contrairie to the ſolemne league and Covenant and Treaties HAUE Invaided and are by all actis of hoſtilitie deſtroying the ſame THAIRFORE Hes Statute and Ordained That all ſenſible men within

the ſ^re^fdomes of fyiff and kinroß, Clakmanan, Stirling, Dumbartane, Argyll, Boott, perth, fforfar, kincardine, abirdeine, Bamff, murray, nairne, Inuernes, Roß, Sutherland, Cromartie, Caitnes, and Orknay CUM to ane Randevouze in the ſeverall diviſiones of Ilk ſchyre reẍtiue To be ſett doun and appoyntit be the Cōmitties of war in Ilk ſchyre According to the number of the regimentis eftir ſpēit The haill hereto^r^ noblemen, gentlemen and vtheris to bur^t^ and landwart lyfrenteris wodſetteris and all other ſenſible men Betwixt Thrieſcoire and fixteine with all there horſes fitt for ſervice and there haill armes for horſemen and foot men (Except ſuch as are excūmunicat, fforfeited, notoriouſlie profane or flagitious and ſuch as haue beene from the beginning and continew ſtill or are at this tyme obſtinat and profeſſed enemies and oppoſeris of the covenant and caus of god) OUT Of the Quhilk Haill Number of ſenſible perſones in Ilk diviſione all ſuch as are vigorous and able men for war are heirby appoynted to be drawin out and put in Regiment^r^ as is eftir ſpēit with there beſt horſes and armes ſo many as are ſerviceable horſes and the reſt on foott w^t^ þ^r^ beſt armes Twa pairt muſquettis and thrid pairt pickis and all with ſword^r^ The horſemen to be armed with piſtoll^r^ hulſteris or fyidpiſtollis and launces THE Regimentis in Ilk ſchyre to be as followis Viz THE ſ^re^fdome of Fyiff and Kinros Twa Regimentis of horſe whairoff The Erle Rothes and Lord Balcarras, Collonell^r^ of foott for the ſaid ſchyre of fyiff and kinros, The Erle of Craufoord, The Erle of Kellie and the laird of Bogie Collonell^r^ of horſe for ſtirling Clakmānan and dumbartane The Lord Erſkine, Colonell of foott for Stirling ſchyre Clakmānan and dumbartane The Laird Buchanan, Colonell^r^ of horſe for Perthſchyre The Lord Drumond and the Laird of Adie Collonell^r^ of footte for Perthſchyre The Erle of Atholl The M^r^ of Gray and Williame drumond ſone to the lord madertie, Collonell^r^ of foote for Argyll and Boote The L^d^ m^c^eleane and the Ld Ardkinlas, Collonell of horſß for fforfar The lord Ogilvie, Collonellis of foote for forfar, The Lord Carnegie, The Lord Spynie and Lord Coupar Collonell^r^ of horſß for kincardine, Aberdeine and bamff The Erle of Erroll and the Erle of marſchall with Reſ^r^va^c^ne of ane troupe to the L^d^Thorntoune Collonell of foote for kincardyne Harie mauld Collonell^r^ of foote for abirdeine ſchyre The Ld Rothemay the Ld Tolq^n^ younger and george keith Collonell of foott for bamff The M^r^ of bamff, The twa troupes out of nairne murray and the L^d^ grant^r^ bound^r^ To be Cōmandit be the Ld Innes younger Collonell^r^ of foote for murray nairne and the L^d^ grant^r^ bound^r^ The L^d^ grant and ſ^re^eff of murray and the L^d^ duffus to haue thoſe q^m^ the ſ^re^eff of murray is bringing out of the laſt leavie out of murray The L^d^ kintaill for the Erle of Seaforth^r^ name and freind^r^ The L^d^ balnagoun for his name and freind^r^ Sr James m^c^donald of ſlaitt kny^t^ for his name and freind^r^ Ld Lumlair for the name of monro The tutor of m^c^cleud for his name The L^d^ of Lochzell, dougall m^c^pherſone and L^d^ m^c^Intoſche or Lauchlane m^c^Intoſche his brother for Badzennoch m^c^ranald tutor of kepach for his freind^r^ and name The L^d^ m^c^Iñen for his name and freindis The Erle of ſutherland for ſutherland, ffrances ſinclair for Caithnes m^c^kay brother to the Lord Rea or Hew m^c^kay of ſtaurie for ſtranaver Sir James douglas for Orknay and Zetland AND That It May Be Knowne That the haill men forſaid to bur^t^ and landwart Cum to the forſaid Randevouze in Ilk diviſione of the ſaid^r^ ſchyres IT IS Appoynted And Earneſtlie Recōmendit to the miniſteris of Ilk pariſche within or without bur^t^ with the Cōmiſſioner of the pariſche or where there is no preſent miñ^r^ Twa of the elderis be preſent at the ſaid Randevouſe with the liſt of the haill men betwixt thrie ſcoire and fixtein within there pariſche atteſted be them to be ane trew liſt and delyver the ſame To the Collonell AND Siclyke It Is Appoynted for cognoſceing who are vigorus and able men to be drawin out and regimentit as ſaid is That the Collonell of Ilk diviſione w^t^ the perſones eftirnamit Viz for the twa Regimentis of horſe in fyiff and Thrie regimentis of foott, The Erle of Louthiane, Lord Humbie and Laird of Niddrie ffor the ſ^re^efdome of Clakmanā S^r^ alexander belſches of Toftis ffor the ſ^re^efdome of ſtirling Collonell James Rae and Lord Clerkingtouñ ffor the ſ^re^efdomes of Argyll and Boott ffor the ſ^re^eſdome of perth The Erle of Caſſillis, The Erle of Roxbur^t^ and Robert hepburne of keith ffor the ſ^re^efdome of forfar, The Erle of Buccleughe Lord Yeſter and laird of Collingtoun ffor the ſ^re^efdome of Kincardine Sr James murray of ſkirling kny^t^ ffor the ſ^re^efdome of aberdeine The Erle of dumfermling and the laird of Balmaine The laird of pittarro and Laird of Jonſtoun barclay ffor the ſ^re^efdome of bamff Colonell Johne Innes ffor the ſ^re^efdome of Elgin and nairne S^r^ alexander abircrombie of birkinboig yor knight WHO With the ſaid Collonell ſhalbe Judges of the abilitie and ſufficiencie of men and horſe As alſo that they tak caire to ſie them weill armed and whaire þ^r^ are any armes wanting IT Is Appoynted That the hereto^r^ In quhaes bound^r^ the ſaid^r^ perſones wanting armes are Shall bring money with them to buy armes which wilbe had at the rates following viz nyne pundis for eache muſquett and bandeleir Thrie pundis money for Ilk pick ffourteine pund^r^ money for Ilk paire of piſtoll^r^ vlſter and ſpanner IT IS Heirby Lykewayes Recōmendit That the horſemen bring all the bak breiſtis and heid peices which can be had IT Is Alſo Statut and Ordained That the haill hereto^r^ noblemen, gentlemen, and vtheris perſones ſua to be drawin out for the feild^r^ from bur^t^ or landwart Shall bring with them fourtie dayes proviſione in victuall or money In maner eftir ſpēit Viz THE ſ^re^efdomes of Fyiff, Clakmānan,

Stirling, Perth, fforfar and Kincardine ſhall bring out and carie to ſtirling for Ilk man horſe and foote ſua to be brocht out, The quantitie of Thrie furlettis aitt meill And the ſ^re^fdomes of Aberdeine, bamff, Murray, Nairne, Inuernes Ros Sutherland Cromartie Caithnes and Orknay To bring out alß mutch meill as will bring them to the generall randevouze AND Further Ordanis the ſaid^e^ ſ^re^fdomes of aberdein and bamff To bring with them alß mutch meill as will ſerve them Ten dayes eftir the day of the generall randevouſe Togidder with ſex pund fyfteine ſhillingis To be givin to the generall Cōmiſſ^r^ for proviſione of Threttie dayes further And the Remanent ſchyres benorth the water of Spey viz murray, nairne, Inuernes Roß, ſutherland, Cromartie, Caithnes and orknay To bring with them alß mutch meill as will ſerve them to the Randevouſe and ffyve dayes thaireftir Togidder with ſevin pund ſevintein ſhillingis ſex pennies To be givin to the generall Cōmiſſ^r^ for Threttie fyve dayes proviſione further The ſ^re^fdome of dumbartane Argyll and Boote To bring for ilk man Thrie furlettis meill To the Caſtell of dumbartane THE Dayes Appoynted for the randevouze in Ilk ſchyre and diviſione þ^t^off are as followis Viz the Randevouſe of the ſchyre of forfar to be vpon the ſecund day of Januar nixt J^m^ vi^c^ and ffiftie ane zeiris The Randevouſe of the ſchyre of kincardine To be vpon the thrid day of Januar nixt The Randevouze of the ſchyres of Abirdeine and bamff vpon the ſext day of Januar nixt The Randevouze of the ſchyres of murray and nairne To be vpon the nynt day of Januar nixt The Randevouze of the ſchyres of Inuernes and Roß To be vpon the fourtein day of Januar nixt The Randevouze of the ſchyres of Sutherland and Caithnes To be vpon the ſixtein day of Januar nixt And the Randevouze of the ſchyre of Orknay and Zetland to be vpon the Tuentie day of Januar nixt FROM The Quhilkis Randevouze the ſaid vigorus and able men ſo regimented and armed as ſaid is horſe and foott are to marche to þe gñall randevouſe as the king and parliament and thoſe haveing power from them ſall appoynt And to the effect that no tyme be loſt IT is heirby appoynted and ordained That the Cōmitties of war in Ilk ſchyre with vther conſiderable hereto^r^ meit and with advyß and conſent of the Collonell^is^ mak choyſe of the livetenant Collonell^is^ and major^is^ To each Regiment ſuch as ſhalbe approvin be the gñall officeris AND Lykewayes That they with conſent of the Collonell^is^ reẍtiue mak choyſe of Capitanes livetenant^is^ Cornettis and Enſignes and deſigne the diviſiones and places of the randevouze for eache regiment IT is heirby appoynted That where the hereto^r^ are either mino^r^ aiged or Infirme They ſall ſend out there beſt horſe w^t^ ane able man and ſufficient armes in þ^r^ awin places And Lykewayes That all moneyed men and vtheris who are able to outreik themſelfis on horſe or foott weill armed ſhall cum out with fourtie dayes proviſione as ſaid is and put themſelfis in troupes and regimentis quhaire they can doe ſervice And becaus there wilbe many men of meane rent who will haue many able men wnder them to cum out in this ſervice and ſiclyke many poore men in brughes IT Is Therefore Statute and Ordained That for there releiff and bettir ſupplie They may haue recourß to the Cōmittie of war in Ilk ſchyre who ſhall lay on the expenß^is^ of the forſaid fourtie dayes proviſione wpon the haill ſchyre according to the valued rent And that the doeing thereof be no retardment to the preſent out cuming of the regimentis WITH Certifica^o^ne if any noblemen, gentlemen, hereto^r^ wodſetteris lyfrenteris and vtheris either to bur^t^ or landwart ſhall not cum according to this preſent act as they are heirby Ordained THEY Shalbe Eſteemed Infringeris of there covenant neglecteris of the defence of religione king and kingdome and puniſched with death Infamie confiſca^o^ne of there moveables and forfalto^r^ of the thrid pairt of the haill reſt of þ^r^ eſtate AND the Kingis Matie and parliament heirby expreſſie diſchairges any perſone That they preſume not vpon their march from there awin ſchyres To tak frie quarter^is^ or Intertainement aither for horſe or man bot to pay for the ſame As they anß^r^ at þ^r^ hieſt perrell

. . . . . .

ACT diſchairgeing the gñall q^r^ter maiſter for giveing ordo^r^ to any regiment^is^ for goeing further north 93

. . . . . .

ACT of approba^o^ne In favo^r^ of þe Erle of Leven lord generall his excellencie 94

. . . . . .

ACT of approba^o^ne In favo^r^ of Gñall Maior James holburne 95

. . . . . .

XXIV DECEMBRIS.

[MINUTES]

24 De^r^ 1650 23^a^ dies parl.

DOMINO REGE PRESENTE

Prayer^is^ heard and roll^is^ callit

ACT anent the ward^is^ and mariadges of thoiß who ſhall happin to be ſlayne in the cuntrie ſ^r^vice Remitted to the ſeverall bodyes

SUPPLICA^o^NE Commiſſioner^is^ who went to Holland for his Mãtie Redd

ORDANES a Letter to be wreattin to the clerk regiſter that the public Regiſterꝭ Recordꝭ and warrandꝭ may be tranſported towardꝭ ſtirling caſtell, and ſiklyk ſuche goodꝭ as belongis to his Mãtie the tranſport to be by ſea or land ~~alſ ſone as may be comodious~~

REPORT from the Comittee for the militarie effairꝭ concerneing the 100 dragownes allotted to Colein campbell out of the ſhyre of perth Redd and paſt prout in ſcriptis

THE Kingis Mãtie and pliament allowes to the L/ Burghley tuentie of his men to be putt in Lochlevin to be interteaned be himſelff

ORDANES Sr Johne ſmyth to ſend for the Mr of Gray anent the putting of a garieſone in the hous of burghtie

THE Kingis Mãtie and parliament allowis to ſuche noblemen or Gentilmen as ſhalbe appoynted officiarꝭ in the army and wer formerlie reſtrayned from haveing acceſſ to his Mãtie, That they may now repair to his Mãtie notwᵗſtanding of the former reſtraynt

SUPPLICAᵒNE L/ Lawerꝭ Redd and paſt prout in ſcriptis

HIS Mãtie ꝫ parliament diſcharges the giveing mentenance to the Garieſone in ſtranaver, and Grantꝭ libertie to the E/ Sutherland if he think fitt to garieſone the ſame for his owne ſecuritie wpoun his owne charges

REPORT L/ wentworth Redd and paſt prout in ſcriptis

REPORT Mr James ſympſon miniſter Redd and paſt

SUPPLICAᵒNE Sr Johne Henderſone Redd ꝫ remitted to the ſeverall bodyes

REPORT Mr Wm Dauidſon Redd and paſt

ORDANES the ſeverall bodyes to meitt the morrow at eight hourꝭ the Comitteis at ten hourꝭ and the parliament at tuo eſternun

. . . . . .

96 LETTER from þe parliament to þe clerk Regiſter Anent the tranſporting of the publict Regiſterꝭ Recordꝭ and warrandꝭ from the caſtell of Edr

. . . . . .

97 WARRAND for the lord Burghley for placeing of Tuentie of his men in the hous of Lochlevin vpon his awin chairges

. . . . . .

ACT in favoꝛꝭ of the L/ laweris anent ſome men to be addit to his Regiment 98

. . . . . .

ACT diſchairgeing any manteinance to be allowed to þe gariſone of ſtranaver 99

. . . . . .

ACT In favoꝛꝭ of Thomas Lord Wentworth

AT PERTH the Tuentie fourt day of December Jmo vjc and fiftie yeiris The Kingis moſt excellent Mãtie and eſtaites of parliament Taking to there conſideraᵒne ane ſupplicaᵒne preſented to them by Thomas Lord Wentworth, Shewing that the ſaid Lord haveing come into this kingdome with his Mãtie He was the more ſurpryſed with the report of a voitt which paſt in the laſt ſeſſioun of this parliament whaireby he was ordored to forbeare his attendance on his Mãties court And to remove out of this kingdome, That he had no Intimaᵒne of the caus that moved thame to lay ſuch a cõmand on him, And that he was conſcious to himſelf of nothing he had done to procure the miſfortoune of his Mãties or the kingdomes diſpleaſoure: That notwᵗſtanding þof he did in obedience to that ordor for a long tyme forbeare to ſie his Mãties face and wold willinglie haue gone to ſome other place of the world Iff thoſe Impedimentis had not beine in his way which are knawin to many of the lordꝭ That yor petitioner is mutch greived that he ſould be thus diſabled to performe any waik ſervice he can doe to his Mãtie now when his Mãtie and kingdomes are in ſo great danger, And therfore without mentioneing aither his endevores in the mater of the aggriement betuixt his Mãtie and the kingdome or any aſſureances he had þby Humblie deſyreing that the petitioner may be takin ſo to conſideraᵒne, That his Mãtie and parliament may be pleaſed to repeall the foirmentionat voitt As at mair lenth is contenit in the ſaid ſupplicaᵒne which with the Opinione of the Cõmittie of billis to whome the ſame was Remitted being takin in conſideraᵒne His Mãtie and eſtaitꝭ forſaidꝭ haue repealled and repealles the forſaid voitt paſt in the laſt ſeſſioune of parliament aganis the ſaid Lord Wentworth To the effect he may haue free acceſſe to his Mãties perſone and no further till the Kingis Mãtie and the parliament or Cõmittie of eſtaitꝭ ſhall appoynt the ſame

. . . . . .

ACT in favoꝛꝭ of Mr James Sympſone 101

. . . . . .

ACT In favoꝛꝭ of Mr Williame Davidſone advocat 102

. . . . . .

XXV DECEMBRIS.

[MINUTES]

25 Deris 1650 23a dies parliam.

DOMINO REGE PRESENTE

Prayeris heard and Rollt callit.

SIR James Balfour Lyone king of armes exhibeit and produced ane old evident concerning the entailment of the croun by King Robert the Bruce to the race of the ſtewartt and ptefted he might be exonered p'off

THE L/ Chancelar in name of his Mătie and the pliament did Rander him hartie thankt for his cair and paynes takin for recoverie of ſo noble ane evident, and ordanes him to have ane act of approba°ne of his p'vice, and for his exonera°n of the evident And ordanes the ſame to be inſert and recordit in the bookt of parliament and to be kepit wt the recordt of pliament

REMITTED to the Comittee for the militarie effairt to provyd ſum armes for armeing the regimentt and troupes

REMITTED to the Comittee for the militarie effairt to mak choyſe of the fix Liveten. Co°t and Maiort who wer appoynted to be nominat be the pliament

ACT anent the wardt and mariadges of thoiß who ſhall happin to be killed in the cuntrie p'vice Redd and paſt

REPORT Mr James ſtrauchane Redd and approvin except in ſo far as any of þe herito'r haue maid payt to Sr Wm Dick

REPORT Lady Glenegeis Redd and approvin

REPORT Lady pityellony Redd and approvin

REPORT Credito'r E/ Seafort Redd t remitted to the ſeverall bodyes

REPORT L/ weyme Redd t paſt

SUPPLICA°NE Sr Jon henderſone Redd t paſt

ORDANES the ſeverall bodyes to meitt on fryday at eight of þe clok, and the pliament at ten

. . . . . .

ACT In favo'r of Sr James balfoure lyone king of armes anent the productione of the great Charter whairby vmq^{u} King Robert þe Bruce entailed the Croun of ſcotland (faileand of his airis maill) to þe race of the ſtewartt and diſchairgeing the ſaid Sr James balfoure p'off

AT PERTH the twenty five day of december the yeare of God One thouſand ſex hundred and fifty Our Sovereigne Lord and Eſtates of Parliament now presently conveened in this Sixt Seſſion of this second trienniall parliament Considering that Sir James Balfour of kinnaird knt and baronet his Maties Lyon king of Armes hath this day exhibited produced and delivered to the Kings Matie in preſence of the Eſtates of parliament an Old Monument concerning the entailments of the Crowne of this kingdome by King Robert de Bruce to the race of the Stewarts his Maties ancient predeceſſors of the date at Cambuſkenneth the fifteenth day of the month of July in the year of our Redemption One thouſand three hundred twenty six which the ſaid Lyon king of Armes by his Care and diligence did find out he being abroad many years ſince and hath faithfully preſerved the ſame till now Therefore the Kings Matie with advice and conſent of the Eſtates of parliament exonerates quits and diſcharges the ſaid Sir James Balfour his Maties Lyon king of armes his heires and ſucceſſors and all others whom it may concerne for now and for ever, and holds his care and diligence in finding out and preſerving the ſame as good and faithful and acceptable ſervice done to his Matie his Crowne and his kingdome 103

LOUDOUN Cancell
I. P. D. P.

. . . . . .

ACT Ordaineing the forſaid great Charter to be Inſert and Recordit in the Regiſter of Parliament and to be keiped wt þe Recordt p'off 104

. . . . . .

ACT anent the wairdt and mariages of thaiſe who ſhall happin to be killed in the publict ſervice 105

. . . . . .

ACT In favo'r of Mr James ſtrauchan of Inſchtuthell 106

. . . . . .

ACT In favo'r of the Ladie glenneglis 107

. . . . . .

ACT In favo'r of Jeane Oliphant relict of Capitane Drūmond [of Pittyellony] 108

. . . . . .

109 ACT anent the ſerveing of Alexr Meingies of weeme aire to his vmqll grandſr

. . . . . .

110 ACT In favorſ of Sr Johne henderſone

. . . . . .

XXVII DECEMBRIS.

[MINUTES]

27 Der 1650 24a dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

REMITTIS the minutt of the 24 of Der anent the giving libertie to thoiſ who ar in charge of the army To haue acceſſ to his Mãties perſone to be conſiddered be the ſeverall bodyes

REMITTIS to the ſeverall bodyes to confer anent ſuche thingis wche ar moſt materiall to be done in pliament

REPORT from the Comittee of billſ anent the Erle of Seafort Redd and approvin prout in ſcriptis

SUPPLICAoNE Cap. melveill and Cap. roſ & vtherſ Redd & the ſupplicantſ recomendit to the comittee for the militarie effairſ

ACT Ordaneing gell leterſ of horning to be direct aganes þe deficientſ in payt of the excyſe Redd & paſt

SUPPLICAoNE ſhirefdome of perth Remitted to the L/ Humby Sr James murrey to ſpeik wt the comiſſionerſ of þe ſhire and the gell comiſſr & report þr opinione & þ'efter paſt prout in ſcriptis vt infra

REPORT Burgh of kingborne Redd and approvin

SUPPLICAoNE Commiſſionerſ who went to Holland to attend his Mãtie Redd and approvin

REMITTIS to the Comittee for the militarie effairſ to conſider of Gell maior maſſie and the other Engliſhes

ORDANES thoiſ of the councell who ar heir to attend his Mãtie at tuo efternun, The comittee for militarie effairſ at three hourſ, the ſeverall bodyes at four, and the pliament the morrow at nyne hourſ

. . . . . .

111 ACT anent the Erle of Seafort

. . . . . .

112 ACT ordaineing gñall lres of horneing to be direct at the Inſtance of þe gñall Cõmiſſr aganis the deficientſ for payment of the excyſe

. . . . . .

ACT Anent the ſchyre of perth anent þr payment of ane monethis manteinance 113

. . . . . .

ACT in favorſ of the burgh of Kinghorne 114

. . . . . .

ACT anent the payment of þe money contracted be þe Comiſſionerſ quha went to holland to attend his Mãties home cuming 115

. . . . . .

XXVIII DECEMBRIS.

[MINUTES]

28 Der 1650 25a dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

The K Mãtie and Parliament Remittſ to the privie councell To ~~ORDANES a claus to be infert in the act of~~ think wpon a way ~~the Comittee of eſtaittſ or in any other comiſſione~~ q'by they may ~~have power to~~ keep correſpondence wt vther nationes, and gives power to the comittee of eſtaittſ or ſuch as they ſhall appoynt anent the way of bringing in of money armes and amonition and wt pooer to give publict faith for the ſame And Ordanes a pticular letter be wreattin to the eſtaittis of holland for þr favor to the princes royall and to the young prince of orange

REPORT from the Comittee for reviſeing the actſ of the comittee of eſtaittſ Red

THE Letterſ from the gentilmen in the weſt to the Committee of eſtaittſ and the Lres from the Comittee to thame Red and Remitted to be conſiddered be the ſeverall bodyes

ORDANES the ſeverall bodyes to meitt preſentlie and the parliament to meitt at thrie efternun

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerſ heard and rollſ Callit

PAPER takin to be conſiddered be the bodyes being Red for anſr to the firſt artickle

REMITTED to the noblemen barrones & burrowis who wer wpoun the conference to meitt and cloiſ the anſr to the kirkſ remonſtrance

TO the ſecond and threid artickles wche ar conjoyned approves the act maid þ'anent wche is paſt and approvin

TO the 4 Reſolved That ſum of the barrones and burrowis be appoynted be thame to repreſent the bodyes to attend the coronacne

TO the fyft Ordanes a draught of the Comiſſione be drawin ꝛt on of evrie eſtaitt viz L/ balcaras L/ clerkintoun ꝛt george Gardyn to be w^t the L/ advocatt ꝛt appoyntꝭ 20 of evrie eſtaitt to be wpoun the Comittee and the quorum to be nyne tuo of evrie eſtaitt

TO the ſixt Ordanes the places of ſuche of the councell as ar dead to be filled, ꝓforme to the act of pliament

TO the 7 Anent the excyſe and accomptꝭ appoyntꝭ the number to be fyftein fyve of evrie eſtaitt, fyve the quorum, q^uof on of evrie eſtaitt

TO the 8 Appoyntꝭ the noblemen and Comiſſionerꝭ to give in a liſt of ſuche as ar to be wpoun the comittee of war agane the nixt meitting

REMITTIS the nynth anent the ge^ll pſones to the conference

THE tenth anent the noblemenes repairing home for accelerating the Levie agreeis þ^to

TO the ellevinth Ordanes on of evrie eſtaitt with the Lord advocatt to draw the draught of ane act of ratifica^one of all actꝭ ſince 1641

TO the 12 anent Officiarꝭ takerꝭ of money ordanes ane act to be drawin, that no officiar tak money wnder the payne of repay^t of the money and Impriſoned till they repay it and be takin vnder the gallous ꝛt his ſuord brokin

REMITTIS to the L/ advocatt to draw a draught of ane act againes complyerꝭ

REMITTIS to the bodyes to conſidder of the quarteringis betuix M^rꝭ and tennentꝭ

SUPPLICA^ONE ſhyre of perth Redd and approvin prout in ſcriptis

ORDANES the footguard to be payed out of the ſuperplus of the tuo monthes mentenance of perth of ſo muche as the ſhyre ſhalbe fund auchtand efter compt of þ^r meall kyne and ſheip alreadie payed in

THE Kingis Mãtie and Eſtaittis of parliament declairis the aſſociatione in the weſt to be voyd and diſcharges any ſuche aſſociatione in tyme coming

A PAPER conteaning his Mãtie and Comittee of eſtaittꝭ thair ſenſ of the remonſtrance of the weſt of the 25 of november 1650 Redd voyced and approvin

SUPPLICA^ONE E/ Athoill Redd ꝛt remitted to the Comittee of militarie effairꝭ w^t pooer to thame to nominat Livetenent Co^ll ꝛt Maior

REPORT E/ Cleveland Redd and he licenciat to ſtay w^in the kingdome

REPORT Lord Withringtoun Redd and he licenciat to ſtay w^in the cuntrie

REMITTIS to the Comittee of eſtaittꝭ to tak the duik of York his ꝓdition to ꝓfidera^one ꝛt q^t advyſſ is to be givin to him

PROTESTA^ONE E/ Wigton ꝓ^r L/ Langton ꝛt Ro^t Cunynghame

PROTESTA^ONE L/ Langtoun ꝛt Ro^t Cunynghame in the ꝓtrar

ORDANES the Conference to meitt pũtlie and the parl. on monday at nyne hourꝭ

. . . . . .

ACT explaineing the minutt of parlia^t of the 24 december anent thaiſe who are officeris of þe armie and are admitted to haue acceſſ to his Mãties perſone 116

. . . . . .

ACT ordaineing the places of ſuche of þe privie councell as ar deceiſt to be filled Conforme to þe act of parliament 117

. . . . . .

COMMISSIONE anent the excyſe and accomptis 118

. . . . . .

ACT ordaining the noblemen and Cõmiſſioneris of ſhyres in þe ptis of þe countrie where they are concerned To repaire home for accelerating the leavie 119

. . . . . .

ACT In favorꝭ of the ſhyre of Perth 120

. . . . . .

ACT ordaineing the foot lyfegaird to be payed out of þe ſuperplus of þe monethis mantenance of perth at þe leiſt ſua meikill þ^off as wilbe reſtand vnpayit The maill kyne and ſcheipe givin be the ſhyre to þe armie being firſt payed ꝛt allowed 121

. . . . . .

ACT declaireing the aſſocia^one of þe weſt to be voyd and diſchairgeing any ſuch in tyme cuming 122

. . . . . .

ACT Ratifieing the act of þe cõmittie of eſtaittis conteining his Matie and þe Cõmittie of eſtaittꝭ þ^r ſenſ of the Remonſtrance givin in be thaiſe of þe gentlemen and officerꝭ in þe weſt 123

. . . . . .

124 ACT in favo^r^ of the Erle of Cleveland

. . . . . .

125 ACT in favo^r^ of the Lord Withringtoun

. . . . . .

126 REMITT from þe parliament to the Cōmittie of eſtaitt concerning the duik of York

. . . . . .

PROTESTA^o^NE E/ Wigtoune ꝯ^ra^ L/ of Langtoun and Ro^t^ Cunynghame

. . . . . .

PROTESTA^o^NE L/ langtoun and Ro^t^ Cunynghame ꝯ^ra^ E/ Wigtoun

. . . . . .

127 ACT diſcharging officeris To accept money for horſß or men

. . . . . .

XXX DECEMBRIS.

[MINUTES]

30 De^r^ 1650

DOMINO REGE PRESENTE

Prayer heard and Roll callit

LETTER from the L/ dundas and maior abernethie to the Lord Chancelar 27 De^r^ Redd in pliament w^t^ the artickles of agreement and Remitted to the Comittee of eſtaitt, and the king and parliament Ordanes the L/ chancelar to wreat for thame to appeir befor the comittee of eſtaitt for cleiring thame ſelff and give accompt of þ^r^ cariadge the paper given to M^r^ thomas henderſon

ORDANES ane Ordo^r^ to be ſent to the Colonell in fyff to marche from the Randevouß toward ſtirlein w^t^ all diligence

ORDANES the conference to meitt preſentlie, and the parliament at three eſternun

Eodem die poſt meridiem

DOMINO REGE [PRESENTE]

Prayer heard and Roll callit

SUPPLICA^o^NE Sr Johne dalmahoy Redd and paſt

THE Kingis Mãtie ꝛ Eſtaitt of parliament allowis Sr George Melveill to continew in his charge as M^r^ houſhold to his Mãtie for þe preſent, and ordanes the comittee of eſtaitt to tak his further deſyres ꝯtenit in his bill to their conſidera^o^ne

REMITTED to the Comittee of eſtaitt to cloſe the anſ^r^ to the Remonſtrance

REMITTIS to the Comittee of eſtaitt the nominating ꝛ compleiting the ge^ll^ officiar of the army

THE Kingis Mãtie and pliament prorogatt the monthlie mentenance till the firſt of auguſt, and the excyſe till the month of maij J^m^ vj^c^ and fiftie tuo and ordanes the comiſſion of excyſe to be drawin according to the former comiſſion ꝛ remitt to the Comittee of eſtaitt to compair the ane with the vther

THE Kingis Mãtie ꝛ parliament nominat and appoynt W^m^ drumond of corevachter to be Maior to Co^ll^ William Drummond

REPORT from the Comittee of militarie effair approvin vt in ſcriptis

THE Kingis Mãtie ꝛ pliament ꝯtinewes the comiſſione for the theſaurarie and exchekq^r^ wntill the nixt ſeſſione of parliament

THE Kingis Mãtie and Parliament allowis thoiß of the conference to ſpeik and conclud anent the corona^o^ne oath to be givin be his Mãtie ꝛ ſubiect

ORDANES ſuche men of the L/ Laweris regiment as ar in S^t^ androis to marche to the reſt of the regiment

THE Kingis Mãtie ꝛ parliament Ratifies the former act diſchargeing penſiones and of new diſcharges the ſame except the L/ chancelerſ penſion

REMITTIS to the Comiſſioner for the theſurary to Improve his Mãties rents to the beſt availl and in caice it be not ſufficient for his Mãties hous Remitt to the Comittee of eſtaitt to tak further courß þ^r^with

LIST of the noblemen and vther wpoun the Cōmittee of eſtaitt M/ Argyll Erles Sutherland, Eglintoun, Caſſill Linlithgow Dumfermlein Roxburgh Buccleuch Lothiane Weymes Tueddaill Levin Lord Torphichane Balmerinoch Burley Coupar Cranſtone Balcarrais V/ newburgh, Borthwick Barones Humby, Toftis Clerkingtoun, freeland, nidderie Duffus, Thornetoun Buchanan, Keath ſkirling Nauchtoun Caver Hardin eldar, ſcottiſcraig Lamertoun, S^r^ patrike hamiltoun, Stobbis, Sr Charles erſkyne, Johnſtoun barkley, Sr James Rollok, ffor Burrowis Sr Johne ſmyth James menteith S^r^ w^m^ dick, andro Grant, alex^r^ bowar Johne Jafray George gardyne Jo^n^ boſuell James ſword George Jameſon Johne ſhort Hew Kennedy Ro^t^ whyt Johnne forbes Co^ll^ James Rae, M^r^ Ro^t^ barkley James Lentron M^r^ Ro^t^ ferq^r^ Ro^t^

dauidſone dauid wilkie Farther His Mãtie and eſtaittꝭ of pliament addis to the foirnamed perſones, the perſones following viz The Lord angus the Lord Lorne Lord mongomrie, L/ machlene and L/ brechin, The clerk regiſter, L/ advocat, Theſaurar deputt, L/ brody, L/ houſtone and L/ fairney, Johne bynnie Roꝭ Arnot wᵐ walker, & Gilbert ſomervell And the L/ chancelar and the geⁿˡ officiarꝭ to be ſupernumerarie

LIST of the Comittee for excyſe & accomptꝭ E/ Caſſillꝭ Arbuthnot, Torphichane burley coupar nidrie freeland, Sʳ James murrey ardblair, keith, James ſword alexʳ bowar Joⁿ bynnie Hew kennedy George gardyne

ACT qᵗby his Mãtie Ratifies all former actꝭ of parl. & the treatie ſince 1641

SCOTTSCRAIG in name of the Earle Marſhall tooke Inſtrumentꝭ vpon the Production of the honours qᶜʰ the King and Eſtates ordanes to be delyvered to the Marques of Argyle in name of the Coñ̃ꝭ of the Theſaurarie & if any danger be in keiping of thame To be rewled be the advyſꝭ of þe comittee of eſtaittꝭ

COMMISSIONE To the Comittee of eſtaittꝭ Redd voitted and paſt

AT the cloſeing of the Parliament the haill acts of this pñt Seſſion of Parliament being preſented to the Kingis Mãtie hee touched the ſame with the ſcepter as vſe is

ACT and deit Joⁿ Lundie of auchtermerny

LIST of Report of billꝭ from the Comittee of billꝭ and of Ratificaᵒnes Redd in parliament approvin and remitted according to the minuttꝭ qᵗʰ ꝓteans actꝭ in favoꝭ of three viz Burghes off fyff, L/ Buchannan, Sʳ Philip Muſgrave

[LIST of ſupplicaᵒnes and Reportꝭ Red in pliament

SUPPLICAᵒNE Burrowis of fyff craveing exempᵒne from payment of the loane money of the ſecond levie, and of þʳ proportione of þʳ 5000 bollꝭ of meall in reſpect of þʳ want of traid and extrem povertie, The opinione of the Comittee is that the Approves Loane money may be ſuſpendit In reſpect þʳ knowin loſſes wntill they be in better conditione, and as for þe meall That in regaird of þʳ bringing out the haill fencible men provydit wᵗ 40 dayes proviſione that the payment þʳoff may be ſuſpendit except for ſuche akeres as belongis to thame

SUPPLICAᵒNE L/ Lorne deſyreing a recrewt to his regiment of þe foot guaird and reparaᵒne of Livten: Coˡᵒ wallace loſſ thair opinione is to refer to the Comittee of eſtaittꝭ the firſt wᵗ pooer to thame to determein, and as to the ſecond That Liv: Coˡᵒ wallace may be referred to the comittee of eſtaittꝭ that he may be aſſit to ſum ꝓt of þe excyſe or mentenance furth of the ſhyre of air or any vther of the ſhyres in the ſouth Referꝭ ſimplie to the comitte of eſtaittꝭ

[SUPPLICATION of Archibald Lord Lorne.

TO the Kings Moſt Excellent Majeſtie: And the honoureable memberes of the heigh Cowrte of Parliament The humble petitione of Archbald Lord Lorne

Humbley Sheweth

THAT wheras the Committie of Eſtates vpon a Letter from his Majeſtie, Did by thair Act at Stireling in September laſt, Ordaine that theſe Two Companeyes of his Majeſties Lyfeguaird then in dewetie ſould be made vp to Ane Hundreth A peice, And that when the regulare Leavies ſhall come out of the ſeverall Shyres, Thair Loꝑs wold take Caire to recruit and ade ſoe maney moe Companeyes as wold be ſuteable and fitt for ſuch a regiment and theſe to be the Choyceſt of the Armie and ffitteſt for that truſt, As alſo by Act that Cloathes ſould be given to theſe Ralleyed ſojeres, My humble deſyre is that yoʳ Majeſtie and the honorable Eſtates of Parliament wold be pleaſed to determine vpon the ſtrenth of the Regiment, and Number of Companyes and to take ſome effectuall courſe wherby theſe Recruites may be brought in, And in reſpect my Levetenante Collonell hes in gods good providence returned to his charge whoſe fidelitie in this cauſe is weell knowen both in Ireland and in this Kingdome and that his loſſes are verie maney and great, I doe humble deſyre that yoʳ Majeſtie and this heigh Courte of parliament may be pleaſed in a particulare maner to take notice of him that he may not onlie have a Companey appoynted him, But lykewayes ſomething may be done for his ſatiſfaction of his former loſſes, And qᵗas the Cõmittie of Eſtates did thinke fitt that the Pyckmen of my owne Companey ſould Carie partiſands, And that I am certanelie informed ther is good Store of them At Aberdaine: I doe humble diſyre that a warrand may be given for procureing of ſome from thence, and to allowe them in thair mantenance or vther publict dewes: And yoʳ Loꝑs anſʳ

Perth 30 december 1650

The Kingis Maᵗⁱᵉ and Eſtaittis of parliament Hes Remitted and Remittis the ſupplicaᵒne abone writtin and ſeverall memberis þᵗoff To the Cõmittie of eſtaittis To be takin in Conſideraᵒne be them That ſuch courꝭ may be takin þᵗanent as they ſall think fitting and wᵗ power to determine þᵗin

M Dauid Hay]

SUPPLICAᵒNE Martein Leitche ſhewing that in the yeir 1648 he lent to the toun of edr 12500 m̃kꝭ for wᶜhe the magiſtratꝭ for the tyme gave him band Bot haveing craved execuᵒne he can haue no Letterꝭ to charge the preſent magiſtratꝭ for pay ment þᵗoff in regaird it is alledged the money wes givin for þe vß of the wnlawᵐ engadgement, It is the opinione of the Comittee that lres ſhould be direct aganes the preſent magiſtratꝭ for payment of þe ſowmes or any magiſtratꝭ who ſhall ſucceid thame till he be payed

[REPORTE frome the Cõmittie of Billis Anent the ſupplicatioune martene leitch ꝙr the laite and preſent magiſtratis of Edr

Edr 22 Junij 1650

SEDERUNT E. Eglintoune, hopetoune, hairtrie Pollok maxwell keith, Johne forbes, Mr Johne hay, Mr Alexr douglas, Naughtoune

FORSAMEIKLE as þr being ane ſupplicatioune given in to the ſaid Cõmittee be Martene Leitch ane of his Mãties wardrope Againes the preſent magiſtratis and counſall of Edr and againes theſe laite magiſtratis and counſall þᵗof ſubſcryveris of þe band vnderwr̃in Shewing that in Maij 1648. The ſaidis magiſtratis than in place borrowed frome the ſupplicant 12500 merkꝭ ſcottis whilk be þr band They obleiſt thame and þr ſucceſſoꝛꝭ in þr places and offices to repey at mertimes 1648. with ane termes ãrent with ãrent þᵗefter during the not peyment and expenſß contenit in the band As the ſamyne reg̃rat in the buikꝭ of counſall vpone the 23 day of November laſt proportis And in regaird he had nether gotten peyment of the ſoume nor could get lres of horning vpone his band to chairge for pey- ment þᵗof Deſyreing þᵗfore That the parliament wald grant lres of horning vpone his reg̃rat band Ather againes the preſent magiſtratis and counſall of Edr and þr ſucceſſoꝛꝭ or againes the ſubſcryveris of his band, Or againes both as the parliament in reaſone and equitie ſould find moſt expedient As the foirſaid ſupplicatioune mair fullie proportis THE ſaid Cõmittee vpone the threttene day of Junij inſtant efter reiding of the foirſaid ſupplica- tioune Ordained the ſaids magiſtratis of Edr reẽtive abonedeſignit To be cited to compeir and anſr to the deſyre of the foirſaid ſupplicaᵐun WHILK being accordinglie done and the perties called the 17 day of Junij inſtant The Supplicant Compeired perſonallie and produced his ſaid reg̃rat band And als compeirit Robert Lokhart ane of þe preſent baillies of Edr with Mr Andro Ker toune Clerk þᵗof for and in name of the remanent preſent magiſtratis þᵗof And produceit ane act of the Cõmiſsioune of þe generall Aſsembly of the 27 of december 1649. ſubſcryved be the ſaid Mr Andro Ker þr Clerk In Ansr to the queſtiones proponed to thame by the preſent provest baillies and counſall of Edr, Whidder they ſould in conſcience pey any þr of the 40000 lib borrowed be the magiſtratis and counſall of Edr for the tyme for the laite vnlauſull ingadgment To- gither wt ane act of the toune counſall of the laſt of december 1649. Relateing to ane former ordour of the counſall That ſome of the baillies and counſall were appoynted to preſent a petitione from thame to the Cõmiſsioune of the generall aſsembly Crave- ing þr reſolutioune whither they ſould be frie of the foirſaid 40000 lib As the foirſaid Act haveing the ſd petitione with the anſr of the kirk inſert þᵗintill proportis AND alledgit That inreſpect þᵗof na lres could be direct at the ſupplicants inſtance againes the preſent magiſtratis for peyment of his ſoume Becaus it being a pairt of the 40000 lib borrowed be the magiſtratis for the tyme for the advancement of þe laite vnlauſull engadgment The preſent ma- giſtratis cannot be lyable in peyment þᵗof without ſinful acknawledgment WHILKIS twa actis with the defence foirſaid given in in writt þᵗvpone for the preſent magiſtratis were given vp to Robert fleming ſumtyme baillie of Edr and ane of the ma- giſtratꝭ ſubſcryveris of the foirſaid band WHA for himſelff and remanent magiſtratis ſubſcryveris of þe band Reproduced the ſaidꝭ actis with ane anſr in writt for the ſaidꝭ magiſtratis ſubſcryveris of þe band wherfore they could not be lyable in peyment of the foirſaid ſoume Nor any chairges direct againes thame for that effect for the reaſſounes and cauſß mentionat in the paper produced for þr defenſß Lykas þᵗefter the ſamyne anſrꝭ with the actis foir- ſaidis being given vp to mr george Norwell advocat prr for and in name of the preſent magiſtratis HE vpone the Nyntene day of Junij inſtant Repro- duced the ſame And declaired he had no farder to anſr þᵗto for the preſent magiſtratis Bot that they deſyred the ſupplicatioune actis and anſrꝭ reẽtive foirſaidis hinc inde given in as is aſoirſaid might be red and adviſed in open and plaine parliament WHILK deſyre being taken in conſideratioune be the Cõmittee THEY thought that they could not repreſent the ſamyne nor mak any ſuch reporte þᵗof to the parliament without they did repreſent þr owne opinione anent the premiſß Seing their cõ- miſſioune and warrand frome parliament ordained thame ſwa to doe AND heirvpone the ſaid Cõ- mittee haveing red and at lenth conſidered and adviſed the foirſaid ſupplicatioune deſyre þᵗof band qᵗvpone the ſamyne is foundit Togither with the foirſaid actis produced for þe preſent magiſtratis of Edr with the defenſß proponed for thame þᵗvpone Togither with the anſrꝭ be way of defenſß given in and produced for the magiſtratis of Edr for the tyme ſubſcryveris of the band THEY Find That the foir- ſaid band is only granted be the provest baillies deane of gilde and theſaurer of Edr And remanent counſall and deacones of craftis þᵗof for thameſelffis and as repreſenting the haill bodie and cõmunitie of þe ſaid burgh Granting the borrowing and re- cept of þe foirſaid ſoume of 12500 merkꝭ to be

imployed in the cõmoune effaires of the ſaid burgh Conforme to ane act of þe counſall þ'of of the 12. of maij 1648. And obleiſing thame for thameſelffis and repreſenting the haill bodie and cõmunitie of the ſaid burgh and þ' ſucceſſo'ſ ſucceiding to thame in þ' offices and places To pey the foirſaid ſoume to the ſupplicant without any mentione that the ſubſcryveris of the band are ather bund coniunctlie and ſeãlie or that they have bund þ' aires or exe'ſ for peyment of the ſaid ſoume AS Alſo ffindis that it is and hes bene the conſtant cuſtome obſ'rved heirtofore in raiſeing of lĩres and chairges vpone bandis granted be magiſtratis of burghs royall for thaimeſelffis and as repreſenting the bodie and cõmunitie of þ' burghis That the ſamyne lĩres being ſought, when theſe magiſtratis ſubſcryveris of the bandis were out of office, were ever purchaſt be delyverance of þe Lordis of Seſsioune for chairgeing of the ſucceeding magiſtratis (being in preſent office and chairge) and þ' ſucceſſo'ſ in þ' places and offices ffor peyment to the creditor of þe ſoumes ſpẽit in the bandis granted and ſubſcryved be the preceeding magiſtratis And that na lĩres nor chairges were ever ſought or granted againes the magiſtratis ſubſcryveris of the band for the tyme efter they were out of þ' offices and places The ſoume chairged for being the Cõmoune debt of the toune for the whilk the tounes meanes and eſtaite is only lyable AND Als findis That be the foirſaid band produced the haill counſall and deacones of craftis of þe granting þ'of are als valydlie bund as the magiſtrats Seing the toune Clerk ſubſcryves for the counſall and deacones of craftis and the magiſtrats ſubſcryves only for thameſelffis And git no lĩres nor chairges can be craved againes the remanent counſall and deacones of craftis their names not being exprest in the band And ſwa þ' aught na lĩres nor executioune to pas againes the ſd'ſ magiſtratis being out of þ' offices And wha were only ſubſcryveris of the band with the remanent counſall for the tyme AS Lykwayes Findis That as no lĩres nor executioune can be direct vpone any bandis granted in favo'ſ of any burghis royall in the name of þ' magiſtratis for the tyme of the granting of theſe bandis In the name and at the inſtance of theſe magiſtratis efter they are out of office Bot only in name and at the inſtance of the preſent magiſtratis and þ' ſucceſſo'ſ Swa in equitie and for that ſame caus þ' can be na lĩres nor execu'un direct nor vſed againes the magiſtratis ſubſcryveris of bandis for the tounes debt efter they are out of þ' offices and places as ſaid is

VPONE the Conſideratioune of the whilk'ſ premiſſ IT is the humble opinione of the Cõmittee That the parliament wald ordaine lĩres of horning to be granted and direct vpone the foirſaid reg̃rat band produced at the inſtance of the ſupplicant againes the preſent magiſtratis and counſall of Ed' and theſe wha heirefter ſall ſucceid to thame ffor peyment making to the ſupplicant of þe ſoumes abone-wr̃in priñll ãrent and expenſſ conteuit in the foirſaid reg̃rat band conforme to the tennor þ'of And that notwithſtanding of the foirſaids twa actis produced for the preſent magiſtrats and of the defenſ foundit þ'vpone for þ' liberatioune for peyment of the ſoume BECAUS the Cõmittee in þ' humble opinione Think'ſ that the preſent magiſtratis þ' peyment of the ſoume contenit in the foirſaid band for reliveing of the toune and obedience of the chairge to be given vpone the band DOTH nawayes importe þ' acknawledgment of the laufullnes of þe finfull ingadgment No more then quhen any man ſatisfies the decreit of ane Judge by peyment of the ſoume þ'incontenit can be thought to acknawledge the Juſtnes of þe decreit Or when ane air peyis his fatheris debt vpone ane decreit obtenit againes him as air does þ'by acknawledge that the debt wes laũlie contracted or imployed for ane just caus Spẽallie ſeing that the band beares that the ſoume wes imployed for the cõmoune effaires of the toune AND Whatever opinione the cõmiſsioune of the kirk hes given in the foirſaid particular contravertit That does not alter the force of the civile obligatioune And without doubt þ' intentioune only wes That the preſent magiſtratis ſould doe no act to acknawledge the laufulnes of the vnlaufull ingadgment Whilk in no ſorte they doe when they ſatisfie the ſoume contenit in a reg̃rat band whilk is ane ſtanding ſentence, and in obedience of chairges to be raiſed þ'vpone againes thame as ſaid is, Lykas the cõmiſsioune of the kirk in þ' act and anſ' foirſaid hes declaired That the ſamyne is not to be ſo vnderſtood as if they þ'by meaned to obſtruct any juſt or legall perſuite That the credito'ſ may have againes the perſones debto'ſ who were inſtrumentall and active in borrowing of the foirſaid ſoume AND it is the opinione of the Cõmittee That lĩres and chairges to be direct at the ſupplicantis inſtance againes the preſent magiſtratis for his peyment Is both juſt and legall vpone his reg̃rat band produced Conforme to the lawis and obſ'rved cuſtome of this Kingdome

J Diksone I: P: Com:

Perth the Threttie day of december 1650.

The Kingis Mãtie and eſtait'ſ of parlia' haveing heard the Report abone wr̃in Reported to þ^m from the Cõmittie of billis of this ſeſſioun of parliament They haue Remitted and Remittes the ſamyne in ſtatu quo nunc eſt To be takin in Conſidera'ne be the Cõmittie of eſtait'ſ with power to them to determine þ'in

M Dauid Hay]

. . . . . .

SUPPLICA'ONE ſewares of kingiſbarnes Craveing That they may haue allowance of nyne hundreth ffour ſcore pund'ſ xiſ ſex penneis payed be them for the manteinance of þe rent of þe ſoume of Eighteine

hundreth Tuentie eight pundᶠ qᵏ was givin be his Mãties vmqᵘ darreſt father in penſione to Sʳ James ſcott of Roſſie and aſſignit be the ſᵈ Sʳ James to þe relict of doctor beattoun Lykeas Johne malcolme chalmerlane of fyiff vplifter of the ſaidᶠ few dewties refuiſᵗ to allow the ſoume payed for þe manteinance in þe firſt end þᵗoff And farder does pũtlie vrge the haill deuties to be payed according to the ordinar rates of þe kingdome whaireas before the ſupplicantᶠ were onlie in vſe to pay the exchekqʳ prices

Remitted to the comittee of Eſtaittᶠ

THE opinione of the Cõmittie is That the ſoumes payed out for the mainteinance and for there leavies of horſe aucht to be allowed to the ſupplicantᶠ in þe firſt end of þʳ dewties for any vther landᶠ they haue ffor which they ſhalbe lyable in payment heireftir And þʳ ſo mutch aucht to be deduced aff the totall of the manteinance of the ſhyre being valued as a pairt of þʳ free rent And Remitted ſua far as Concernis the prices To the exchekqʳ

Remitted to the Comittee of eſtaittᶠ to be ꝑſidered wᵗ the report of þe comittee of billᶠ that witneſſ may be examinat to ly in retentis, the ꝑtie being firſt ceitted and no lawll obiecᵒn proponed in þe ꝯtrar

SUPPLICAᶜONE Sʳ wᵐ ballantyne, Craveing that he may haue exhibition from the E / Roxburgh of þe diſpoſitione maid be him to the wmqᵘ Erle of Roxburgh and of his regiſterᶠ qᵏ bearᶠ the diſpoſitione only to be maid wpoun truſt, and alſ craveing warrand to examine the Lady Broghtoun, and otherᶠ witneſſ anent the putting away of ane bakband granted be þe E / of roxburgh concerning the eſtaitt of brochtoun and to examine otherᶠ witneſſ that the depoſitiones may ly in retentis in caice the witneſſ deceaſſ The opinione of þe comittee is that the E / Roxburgh he ceitted to compeir befor the Comittee of eſtaittᶠ, and that they may haue a pooer to determein anent the deſyre of þe ſupplicaᵒn

[TO the Kinges Moſt excellent Majeſtie and the honõᵃ eſtaits of parliaᵗ The humbill petitioun of Sʳ William Ballantyne of Bruchtoun

Humblie Sheweth

THAT qʳas I being Minor and ane chyld the tyme of my fathers deceas was left be him and my eſtait to the tutorie of dame Elizabeth Ker my mother who be my fathers teſtament was to manage the office of tutorie be the directioun and advyce of the lait erle of Roxburgh my vncle To whome efter I was major I maid ane diſpoſiᵒun of my wholl eſtaitt wpon truſt According to which the ſaid erle was to take ordour with the wholl burdinges and pay creditoʳᶠ and was for his ſecuretie to have richt to the lands Ay and quhill he ſould have ſatiſfactioun for the ſoumes of mõey he ſould pay And for the remander of the eſtait did ſubſcryve ane backband ſhewing that the diſpoſiᵒun maid be me in his favoʳᶠ was onlie wpon truſt And thairfoir did bind and obleis him that he being ſatiſfied of the ſoumes he ſould pay to my creditoʳᶠ he ſould then diſpone back againe to me the lands contained in my diſpoſiᵒun Which backband was then intruſted to my mothers cuſtodie and I believe the copie þʳof will be fund ȝit extant in the Reg̃re of the lait erle of Roxburgh my condiᵒun of leiveing neceſſitating me to ſtay abroad And fieing the great expreſſiounes of kyndnes maid often to me and the confidence I had of my vncles favoʳ maid me delay to crave any account of my eſtait during his lyftyme And that the ordinar Judicatorie befoir whome I ſould perſew the ſame againſt his air the now erle of Roxburgh is not patent incaice we ſall not make ane freindlie agriement which is my erneſt deſyre Not that I doe or can diſtruſt my conſcieonable richt to the eſtait I was borne to, My indevours being onlie to preſerve freindſhipe be preventing of diſputtes which micht wnfortunatlie fall out be Reaſſoun of my mothers aige and infirmitie to whome the cuſtodie of the backband was intruſted and of the death and mortallitie which in this perillous tyme may juſtlie be apprehended of ſeverall witneſſ who moſt be vſed for cleiring of the truſt and of my vncles intentiounes towards me in reſtoring of my eſtait which if any of thame ſould happine to die befoir they ſould depone Judiciallie in the ſaid matter micht tend to my great hurt and prejudice Becaus all probaᵗᵒun of ſoe juſt a proces wold wndoubtedlie faill HEIRFOIR I humblie beſeik ȝoʳ Mãtie and the honõᵘ eſtaites of parliaᵗ That I may have warrand to fũmond the erle of Roxburgh for exhibiᵗᵒun of the ſaid diſpoſiᵗᵒun maid be me in favoʳᶠ of my vncle his prediceſſor and of his Reg̃res qʳin the backband is extant and of all my evidents belonging to me or may concerne my eſtait As alſo that thair may be a comiſſioun direct for takeing of my mothers oath ᵗ depoſiᵗᵒun anent her haveing or away putting of þe ſaid backband intruſted to hir keiping and of what ells ſhoe knoweth concerning the truſt and tranſactioun betuixt me and my ſaid vncle And lykewayes to fũmond befoir ȝoʳ Loꝛ and comittie of eſtaits if they ſall be then ſitting ſuch witneſſ as ar neceſſar and can beſt cleir the wholl buſſines that incaice any of thame be taken away be death thair depoſiᵗᵒunes may make full faith if heirefter I ſall be forced to a legall perſute That ſoe according to conſcience and equitie I may be reſtored to the poſſeſſioun of the remander of my eſtait And ȝoʳ Loꝛ Anſʳ

30 Deᶜᵗ 1650

It is the humble opinione of þe cõmittie that the E / Roxburgh be ceitted to compeir befor þe comittee of eſtaittᶠ and that they haue a pooer to determeyne anent the deſyre of þe ſupplicaᵒne

Balcarres I P Com.

Perth 30 december 1650

The Kingis Mãtie and eſtaitᶠ of parliament now pũtlie conveened ᵗc Hes Remitted and Remittis the ſupplicaᵒne wᵗin writtin and deſyre of the ſupplicant þʳin contenit Togidder with the opi-

nione of þe Comittie of billis gevin þanent To be takin in Conſidera°ne be the Comittie of eſtaittis To the effect that witneſſ may be examined to ly in retentis The pairtie being firſt cited þ°to and no relevant nor competent alledgeance proponit be the ſaid defender in the Contrair, wherefore the ſamyne aucht not to be done. M Dauid Hay]

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Approvin and diſcharges quarteringis till the gariſone be removed

SUPPLICA°NE L / Buchannan Craveing that in reſpect his houſſ of buchannan and ballandalloch ar gariſoned by ordo^r from the Liveten : ge^ll / and yit no^twſtanding þ°off the Regimentſ appoynted for þe guarding of forth ar craveing aſſiſting quarteringis, The opinione is That theſ places ſhall not be burdeined both w^t the gariſone & quarteringis bot þ^t on of thame ſhould be diſcharged

Approves

SUPPLICA°NE Sr Philip muſgrave craveing the voitt q^rby he wes ordered to forbear coming to his Mãtie and to remove furth of this kingdome Repealled, Opinione of the comittee is that the act ſua far as concernes the baniſhment may be repealled

Remitted to the Comittee

TUO ſupplica°nes on of the L / hoptoun and ane other of Kathrein walker deſyreing a warrand to ſum of the old magiſtratſ and any whom M^r andro ker ſhall appoynt to give ſeaſing of ſum tenementſ in ed^r in reſpect of the preſent trubles and abſence of þe magiſtrattſ, Opinione The deſyre may be granted

Remitted to the Comittee

SUPPLICA°NE Mr Anthonie Jakſone, deſyreing he may be reſtored to his ſ^rvice in attending of his Mãtie, Opinione of þe comittee is That the act of baniſhment may be diſcharged ſua far as concernes him

Remitted to the Comittee

SUPPLICA°NE James wood craveing a reaſo^ll ſpace to produce James bannatyne for q^m he wes caw^r and wes challenged for inceſt, Opinione he may haue tuentie dayes to produce the fugitive for q^m he wes caw^r

Remitted to the Comittee

SUPPLICA°NE Johne and eliſabeth prattſ aganes James and M^r alex^r perſones for exhibitione of evidentſ q^rin defenſſ ar givin in, Opinione Refer to the comittee of eſtaittſ w^t pooer to determeyne

Remitted to the Comittee

SUPPLICA°NE Jonet campbell relict of Capt m^cnab anent the adiuſting of hir wmq^ll huſbandſ compt& ſatiſfac°ne givin hir for what he had not receaved Opinione that the ge^ll comiſſ^r ſhould adiuſt the Compt& and Remitt to the Comittee of eſtaittſ the way of ſatiſfac°n

Remitted to the Comittee

SUPPLICA°NE Toune of dyſert craveing they may not be burdeand w^t the quarterings ſua far as concernes the L / Sincklarſ coall heuch, Opinione That the parochinarſ of dyſert ſhould be only quartered wpoun for þ^r own þticular rentſ & no further and that it be takin aff the ſhyre

SUPPLICA°NE E / Queenſberrie compleaning wpon Co^ll Gilbert Kerr and Co^ll ſtrauchan for certane abuſſ comitted be thame at his hous, Opinione That it be Recomendit to the Comittee of eſtaittſ — Remitted to þe Comittee

SUPPLICA°NE L / Lorne anent the haveing of clothes to the foot guard, Opinione that the bill be Recomendit to the comittee of eſtaittſ that they ſie any thing done be þe pliament maid effectuall or ſum other courſ takin w^t thame if that faill. — Remitted to the Comittee

SUPPLICA°NES Tounes of Kirkcaldie & c^r deſyreing To be releived of the burdein of quartering of the ge^ll arteliarie and Sr George preſtones regimentis Opinione of þe Comittee, that the interteanment of þe f^ll officiarſ ſhalbe layed proportionallie wpoun the burrowis of fyff And it be recomendit to the Comittee of war to ſie the ſame done — Remitted to the Comittee

SUPPLICA°NE Ro^t ſpalding ſhewing that he is trubled by the ſhyres of both perth and forfar for his mentenance, and that he aucht only to be lyable in pay^t to on of thame: Opinione of þe Comittee of billſ That the ſhyre of perth ſhould be diſcharged from trubling the ſupplicant in all tyme coming in reſpect of his evidentſ produced q^rby it is cleir that his landſ lyes w^in the ſhyre of forfar — Remitted to the Comittee

SUPPLICA°NE parocheines of kinroſſ and orwall compleaning that they ar ꝓtinuallie burdeaned w^t tranſient quarterſ and þ^for deſyring to be free of locall quarteringis, Opinione That it be recomendit to the Comittee of eſtaittſ — Remitted to the Comittee

SUPPLICA°NES Alex^r Archibald bearing that he having paſt ane infeftment in exchakq^r and hes paſt the ſignet of certane Lands appryſed be him from the aires of wmq^ll James winchester of polduff, and Becaus he can not gett the infeftment craveing that his diligence alreadie done ſhould be ſufficient to prefer him to otherſ who hath not done lyk diligence — Remitted to the Comittee

SUPPLICA°NE herito^rſ Clakmanã Compleaning wpoun the crewle oppreſſione of Co^ll Arnotſ regiment, Opinione to Recomend the ſame to the Comittee of eſtaittſ — Remitted to the Comittee

SUPPLICA°NE Laird of Glenwrquhy craveing exemptione of ſum men, in regaird of the waiſting of his Land Opinione of the Comittee is that it be recomendit to the Comittee of eſtaittſ — Remitted to the Comittee

Remitted to the Comittee ꝛ recomendit

SUPPLICAONE E ı Dumfermlein ꝯr Gedd of baldrig Opinione To be Recomendit to the Comittee of eſtaittꝭ

Remitted to the Comittee

SUPPLICAONE Coll Wm Lumſdeane, for payt of his arrierꝭ in reſpect of his preſent neceſſitie he being now priſoner, The opinione of the Comittee is that the gell Comiſſr be appoynted to compt, and the Comittee of eſtaittꝭ may tak ſum courſ for ſum ſatiſfacone to be givin him

Remitted to the Comittee

SUPPLICAONE Counteſſ of Callander that warrand may be givin to the Comittees of war of fyff aberden and elgyne to redreſſ certane wronges ꝛ inſolencies done to hir Opinione Remitted ꝛ recomendit to the Comittee of eſtaittꝭ

Approves

RATIFICAONE To Mr Thomas morray of his gift of the comiſſariat of caithnes

Approves

RATIFICAONE to Sr Johne broun of his infeftment of the baronie of woodlſbie eaſter fordell with the mylne blairſtrowie and cottoun

30 Derꝭ 1650

REDD in parliament Remitted and approvin ꝯforme to the minuttꝭ ꝛ the tuo Ratificaones approvin]

. . . . . .

[SUPPLICAONE of Colonell Thomas Dalzell of Binnes

WNTO the Kingis moſt excellent Mãtie and honorable eſtaittis of parliament The humble petitione of Colonell Thomas Dalzell of Binnes

Humblie Scheweth

THAT whaire your petitioner being for the tyme reſident in Ireland at his returne to ſcotland was ſurpryſed by heering of a vote wherby he was diſchairged from returneing back To this kingdome And in effect baniſhed thairby from his native countrie which act of baniſhment being in effect the ſtricteſt cenſure that can be Impoſed vpon any Except death yor petitioner did not exſpect ſuch ſtrict ane cenſure to haue beene Impoſed vpon him without heering And ſince he is moſt willing To give all ſatiſfactione to churche and eſtaite IT is Humblie deſyred That your petitioner may be licenciat notwtſtanding of the former act of reſtraint To remaine within the Countrie and the forſaid act Repealed, Swa far as concernis him That ſo yor petitioner may Contribute his myte in ſo ſadd and diſtreſt ane conditione To which this kingdome is redacted, To doe ſervice to his Mãtie and Countrie And yor favorable Anſr is exſpected

30 Decembris 1650

The Kingis Mãtie and eſtaittis of parliament Remittꝭ this abone wreattin ſupplicaone and deſyre of the ſupplicant þin conteanit to the Comittee of eſtaittis To be takin in conſideraone by thame

M Dauid Hay]

. . . . . .

[SUPPLICATION of Mr James Row

To the Kinges moſt Excellent Maieſtie and the Right horable The Cõmittee of Eſtates The humble Petition of Mr James Row

Sheweth.

THAT wheras I have lyne out of my Miniſtrie for the ſpace of Six zeirꝭ bygane In all which tyme notwithſtanding my great diſtres I was wnwilling to deſire any publict favor in regard I could not be vſefull But now being reſtored to a libertie of reentrie to the miniſtrie zet not knawing when I can have occaſion of a ſatled ꝯdition, in thir difficult tymes And having nothing els but the wadſet landes of Cuiltkalloch ꝛ waſter Dalgenros for the mantenance of a numerous familie (as having a wyff ꝛ eight children) whilkes landes being not only ruined ꝛ waſted by the late troubles but alſo now ſo overcharged with publict burthenes as I can have no benefit therby Lykas I have ꝯtracted a great burthen of debt during the tyme of my diſtres So that I am not able to ſubſiſt without remeid be had þvnto Wherfore I humblie ꝛ earneſtlie Intreat zor M. ꝛ L. to grant me ane exemption for the ſaidꝭ landes from all publict burthenes of mantenance levies ꝛ quarteringes at the leaſt whill it ſall pleaſe god that I come to enjoy a ſtipend, And zor petitioner ſall ever pray ꝛ c.

30 Decembris 1650

The Kingis Mãtie and Eſtaittꝭ of parliament now pñtlie conveined Remittꝭ ꝛ Recomendꝭ the ſupplicaone abone wreattin and deſyre of the ſupplicant þin ſpẽit To be takin in conſideraone be the comittee of eſtaittꝭ

M Dauid Hay]

. . . . . .

[SUPPLICATION of Eupham Blair

VNTO the Kings most excellent Matie and the most Honoble Estates of Parliament of the Kingdome of Scotland now aſsembled at Perth The Humble petition of Eupham Blair widow and stranger resident in Sweden

Sheweth

THAT qr in the Action and cauſe persewed before the Lords of Session at zour Petitioners Instance one of the aires portioners ſerved and retoured to wmqll Alexander blair Skipper burges of Dundie my father And alſ one of the two exrꝭ dative decerned and confirmed to the ſaid wmqll Alexr blair

and to wmq^{ll} Catharine Duncan her mother And wmq^{ll} Criſtine and Helen blacks her ſiſters german At the leaſt haveing licence of the Cõmiſsars of Brechin To perſew for the debts and vthers falling vnder executorie, And alſ heretable proprietar of the juſt equall halff of the two burgall tenements of land with the pertinents lyand in the burgh of Dundie as one of the two aires Portioners forſaid AGAINST Alexander Tyrie Skipper burges of the ſaid burgh and Margaret blair his ſpous Touching the decerning of them To mak payment and delyverance to ȝour Petitioner as one of the aires portioners and haveing licence in manner forsaid of the mailles and dewties of the equall halff of the two burgall tenements of land with the pertinents q^{ch} ſome tyme perteined to the ſaid wmq^{ll} Alex^{r} blair, lyand contigue together vpon the North ſyde of the flewkargate of the ſaid burgh ȝeirlie ſince the deceaſe of the ſaid wmq^{ll} Catharine Duncan your Petitioners mother lyfrentrix þ^{r}of Extending ȝeirlie the ſaid halff To one Hundreth punds money And ſiclyk for delyverie to your Petitioner as one of the aires Portioners forsaid, [of] the haill writtes and evidents concerning the equall halff of the forſaid two tenements And of the moveable goodes and geare Intromettit with by them or Pryces þ^{r}of contenit in the Inventar þ^{r}of, and vſit as a pairt of the lybell brevitatis cauſa, YOUR Petitioner compeiring be Mr Patrick Wedderburne her Pro^{r}, And the ſaid defenders compeirand bee Mr David Dunmwre þ^{r} Pro^{r}, Therefter in pũce of the ſaid Lords the ſaid Parties Pro^{rs} judiciallie ſubmitted all matters questionable to the decreit to bee given and pronunced bee William Gray, Sherreff Clerk of forfar, Walter Ranking and David Weymes merchands burgeſes of Dundie arbitrato^{rs} for ȝour petitioner And bee Robert Bultie baillie Mr John Dunmwre, and Alex^{r} Watsone ȝounger burgeſes of the said burgh or anie two of them, the ſaid Mr John Dunmwre beeing alwayes one, for the f^{d} defenders And in caice of variance betuix the said Arbitrato^{rs} bee Alex^{r} Bower Deane of Gild William Duncan Theſaurer and Robert Davidſone ȝounger burgeſes of the ſaid burgh, or anie one of them as odiſmen and overſmen betuix ȝour Petitioner and the ſaid defenders LYKEAS the ſaid pro^{rs} and either of them band and obleiſt them in name of ws their ſaid Clients To obtemper and fulfill q^{t}ever the ſaid Arbitrato^{rs} in ane voyce And incace of difference the ſaid Alex^{r} bower William Duncan and Robert Davidſone or anie one of them, as overſmen ſhould determine concerning the Premiſses, As ane act of the Lords of Seſsion of the laſt of februar laſt, beareing reg̃ration againſt the ſaid Pro^{rs} vpon ſex dayes herewith produced will evidence LYKEAS the ſaid Mr David Dunmwre be his band and obligation of the fyifth of March laſt band and obleiſt him To cauſe the f^{d} Alex^{r} Tyrie and Margaret blair to delyver to ȝour Petitioner her ſiſter all and whatſoever her pairt of her fathers moveable airſhip, q^{ch} wes not before delyvered And that betuix and the firſt of Aprile laſt q^{ch} wes the prefixed day, betuix and q^{ch} the ſaid Judges ſhould have pronuncit þ^{r} ſentence, And ſiclyk the ſaid Mr David band and obleiſt them To cauſe the ſaid Alex^{r} Tyrie and Margaret Blair ſtand and abyde to the forſaid Judiciall Submiſsion As the ſaid band herewith produced will alſo teſtifie AND howbeit ȝour Petitioner in purſuance of the forſ^{d} act of the Lords of Seſsion did efter ſome travell conveene the ſaid Judges arbitrato^{rs} two ſeverall tymes in the kirk of Dundie, that they might proceed in determining according to the ſaid Submiſsion, Yet the ſaid Alexander tyrie and his ſpouſe compeiring before the ſaid Judges, refuſed to adhere to the ſaid ſubmiſsion or to do anie thing þ^{r}anent as will bee witneſſed by the f^{d} Alex^{r} bower a member of Parlia^{t} Quherethrow the ſaid Judges did ryſe without takeing cognition or vſeing anie procedure in the ſaid matter, the ſaid day aſsigned for pronuncing þ^{r} ſentence alſe expyred And your petitioner having received no Juſtice, beeing a ſtranger and widow, neceſsitated to ſtay in this Countrie be the ſpace of Two ȝeires and ffyve moneths and ſpent vpon herſelff and ſome children ſhe brought thither and in purſute of the ſaid action all ſhe hath almoſt, And will ſhortlie bee reduced to that condition as forced to begg if ſome redreſse in her forſ^{d} purſute bee not taken, beſyde the hard condition q^{ch} her fatherleſſe children both here and in Sweden will bee brought vnto, AND ſeeing your Matie and the Parliament ſhould in a ſpeciall manner take notice of the caice of the widow, fatherleſſe and ſtrangers And that the Lords of Seſsion are not fitting becauſe of the evill tymes, And that the ſaid Alex^{r} tyrie and his ſpouſe have not the leaſt colour or ſhadow of Law, againſt your Petitioner for debarring her from what ſhee clames from them in manner forſ^{d} as is not vnknowen to their forſ^{d} Pro^{r} And that if courſe bee not taken for adminiſtrating juſtice þ^{r}intill your Petitioner muſt needs for want of ſubſiſtence leave of to meddle furder þ^{r}intill and begg home to her Place of reſidence, q^{r} ſhee will not gett abſtained to make knowen that juſtice wes denyed her MAY it therefore pleaſe ȝour Mãtie and the Parliament To lay to heart the caice of the widow fatherleſſe and ſtranger and conſider the premiſſes And give Cõmiſsion to the forſ^{d} Judges arbitrato^{rs} or to the Magiſtrats of Dundie, To meet and conveene, take tryall and determine in the forſ^{d} buſines fũmond the defenders for that purpoſe vpon ſuch certifications as they ſhall think fitt, And in caice of the f^{d} defenders þ^{r} refuſeall to appeare beeing fũmoned or appearing to defend in the ſaid matter with power to the ſaid Judges or Magrats to decerne þ^{r}intill according to your Petitioners clame evidences and Probation to bee produced for inſtructing þ^{r}of, And what they ſhall find juſt to bee done þ^{r}anent, And to do everie thing neceſſarie for that effect And to ordane lres of horneing and all vther execution to paſſe vpon their ſentence, And the

Maġrats of Dundie to bee aſsifting and cauſe the ſamen bee putt to execution, And farder if need bee To ordaine Lres of Horneing To bee directed againſt the ſd Judges or Maġrats for meeting and determining herevpon with all poſſible ſpeed.

30 Deris 1650

Our Soverane Lord and eſtaittꝭ of Parliament now preſentlie conveined Remittꝭ the ſupplicacne wtin wreattin, in ſtatu quo nunc eſt wnto the Comittee of eſtaittis wt pooer to thame ather to determein the ſame thame ſelffis or Remit the ſame to any vther Judge competent as they think fitt

M Dauid Hay]

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ACT Salvo Jure Cuiuſlibet

ACT continewing the parliament wntill the fyſt of febr nixtocum 1651

. . . . . .

128 ACT In favorꝭ of Sr Johne Dalmahoy

. . . . . .

129 ACT In favorꝭ of Sr george Melvill

. . . . . .

130 REMITT from the parliament to the Cōmittie of eſtaittis anent the nominateing and Compleiting of the gñall officeris of the armie

. . . . . .

131 REMITT be the parliament to the Comittie to cloſe the anſr to the Remonſtrance given in to thame be ꝑe Comiſſionerꝭ of ꝑe geⁿ aſſemblie

. . . . . .

132 ACT prorogatting the monethlie mantein-ance till the firſt day of auguſt 1651 and the excyſe till the moneth of maij 1652

. . . . . .

133 COMMISSIOUNE to the Cōmittie of ex-cyſe and accomptis

. . . . . .

134 ACT ordaineing the Erle of Eglintoune To haue ane Regiment of ſix troupes of horſe

. . . . . .

135 RECOMMENDAcNE from the parlia-ment to the Cōmittie of eſtaittis anent gñall Major Maſſie

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ACT nominateing the L / of dun To be livetenant Coll to ꝑe lord ogilvie and major walter boſuall to be his major, Colonell gil-bert blair To be livetennant Colonell to the Lord drūmond and harie drūmond of pit-cairne to be his major The L / of polmais to be Livetenant Colonell to the Erle of Atholl and adjutant murray to be his major, Colo-nell toures to be livetenant Colonell to Harie mauld (if he wald accept of it) vtherwayes to Remitt ꝑe ſame to the Cōmittie of eſtaitt and major James durhame to be his major That livetennant Colonell lyell be Live-tennant Colonell to ꝑe Mr of gray and major logane to be his major That Live Colonell Thomas merſchell be livt Coll to Colonell wm drūmond and wm drumond of Core-wauch? to be his major 136

. . . . . .

ACT prorogatting the Cōmiſſiones for the theſaurarie and excheker wnto the nixt ſeſ-ſioun of parliament 137

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COMMISSION to the Committee of Estates

AT PERTH the Thirtie day of Deeember Jm vjc and fiftie years Our Soueraigne Lord and the Estates of Parliament now presentlie conueened in the sixt Seſsion of this Second Triennial Parliament Being uerie sensible of the dangerous and distreſſed condition of the King-dome, and most desireous according to the Lau of God, and nature in discharg of their publict trust to use all laufull and neceſſarie means for the safetie and defence of Religion his Ma: Per-son and Royall Authoritie, Lawes and Liberties of this Kingdome, Against an Army of Sectaries who most unjustlie and perfidiouslie contrare to the Solemne League and Couenant and Treaties, Haue inuaded, and are by all acts of hostilitie dis-troyeing the same, And being now wpon good reasons to disolue and adjourne the Parliament to an certaine day And considering how neceſsarie it is for the good of Religion and prosecution of all the ends of the Couenant, and remedieing the foresaid euill, and all other eurills and dangers that may be-fall That an graue Committee be Nominated and appoynted by them of able and weill affected Per-sons, By whoſe aduice his Ma; is to Gouerne the Kingdome in thoſe things wch concerne the Generall good and safetie thereof To the nixt Seſsion of Par-liament Do therefore Nominat and appoynt the Marquis of Argyle the Earle of Southerland, The Earle of Eglintoun, The Earle of Caſsillis, The Earle of Linlithgow, The Earle of Dumfermeling The Earle of Roxburgh, The Earle of Buccleugh, The 138

Earle of Lothian The Earle of Weems, the Earle of Tuedle The Earle of Leuen The Lord Torphichen, The Lord Balmerino The Lord Burghlie, The Lord Couper, The Lord Cranſtoun The Lord Balcarres, The Uiecount of Newburgh, and the Lord Borthwick, BARRONS The Lord Humbie The Lord Tofts The Lord Clerkingtoun, The Laird of ffreeland, The Laird of Niddrie The Laird of Duffus, The Laird of Thorntoun The Laird of Buchanan, the Laird of Keith, The Laird of Skirling The Laird Nauchton, The Laird of Lawers, The Laird of Harden elder, The Laird of Scottiscraig The Laird of Lamertoun Sr Patrick Hamilton, The Laird of Stobs Sr Charles Erſkine The Laird of Johnstoun Barclay, and Sr James Rollock yonger of Duncrub, BURROUES Sr John Smith James Monteith, Sr William Dick, Andro Graunt, Allex. Bower, John Jaffray, Georg Garden, John Boſwell, James Suord, Georg Jameſon, John Short Hugh Kennedie, Robert whyte, John fforbes, Collonell James Rae, Mr Robert Barclay, James Lentroun Mr Robert farqhair, Robert Dauidson, Dauid wilkie, or any nyne of them as their Quorum Tuo being of euerie Estate, Lykeas the Kings Ma: and the Estates of Parliament Do add as supernumerarie to the forenamed Persons of the Committee of Estates The persons following viz. The Lord Angus, the Lord Lorne, the Lord Montgomerie, The Lord Machline, and the Lord Brechen; The Clerk Register, The Lord Aduocat, Theſaurer Deputt, Lord Brodie, The Laird of Houstoun and the Laird of fferny, John Binning, Robert Arnott, William walker, Gilbert Somerualll, the Lord chancellor and the Generall officers To be supernumerarie, To whom or their Quorum foresaid his Ma: and the said Estates of Parliament Do graunt pouer warrant and Commiſsion To meet and conueene at such tymes and places as they shall think fitt, And there to take such course and resolutions And giue such ordors and directions in discharge of their great trust committed to them dureing the uacancie of Parliament as they shall think neceſsarie and conduceing to the right ordoring and gouerneing of the wholl body of the Kingdome, and proſecution of the ends of the League and Couenant, And for the better affectuating heerof They are hereby warranted to Authorize Commiſsioners To treat and Negotiat with any forreigne Prince, or states in those things wch concerne the honour Just pouer and happines of the Kings Ma: and the good of those Kingdomes, And to prouid for Armes and Amonition and to borrow soumes of money for the seruice of the Kingdome in this cauſe, and giue publict faith for the same, And in caſe they shall find neceſsarie for safetie of the Kingdome To raiſe and keep more forces as they shall find neceſsarie for the ends foresaid, And for to prouide uictuall and other Neceſsaries, To appoynt places of Randezvous, and giue ordor for their quartering and intertainement And for that end to Prorogat the Mantenance, and excise (The wholl Committee being firſt tymeouslie warned to that effect, and the most being present) And to appoynt such Generall officers, and Collonells ouer them as they shall think fitt, and are not alreadie named by the Parliament Declareing That the shyres shall haue the Nomination of the officers of any forces who are to be raiſed whereof they haue formerlie beene in poſesſion by ordor of Parliament, And to disband the Army and forces as they shall think fitt, And to ordaine the foresaid Mantenance and exciſe as the same shall be prorogat by them as aforefaid To be Imployed for the uſe of the forces raiſed or to be raiſed allenerlie, And Generallie with Pouer to them To ordaine diſpoſe and Imploy all the forces of the Kingdome Leauied, or to be Leauied as they shall Judge fittest for the ends reẽtiue abouenominat And als with pouer to the said Committee To take and apprehend, and call before them all such Persons as haue inuaded, or shall inuade the Kingdome, or shall make any Insurrection to the disturbance of the peace thereof, or shall oppoſe or riſe in Armes against his Ma: Authoritie, and Authoritie of his Parliament, or Committee of Estates here nominat, or who shall concur with aſist, keep intelligence, or correspondence with any of the said inuaders, or riſers in Armes, and to purſue them for the ſame Pronunce ſentence, and do Justice wpon them according to the Lawes of the Kingdome by forfaltor, or otherwise conforme to their seuerall degrees of guiltines, and als fullie in all respects as the Kings Ma: and Parliament might do if they were sitting Lykas his Ma: and Estates foresaids giue heerby power to the said Committee of Estates, either by themselues, or ſuch of their Number as they please to Authorize with Commiſsion for that effect To redreſs and punish all wrongs grieuances and oppreſsions Committed or to be committed by souldiers, or any officers against the Countrie People, and others griuances specified in the Act of Parliament of the date the fyft of Julie J^(o) vj^c and fourtie nyn years, And to diſcover cenſure and punish all officers and other Perſons who shall be found to haue taken, or hereafter shall take money for men, horse, Armes and baggadge horses, Loane, or Leauie money for any prouiſions due to be putt furth, and payed by the Leidges to the Armyes or any other publict uſes With power Lykewise to them To giue order to the Committees of warr in shyres, and to all Collonells, Stewarts, Sherrefs, Baillies and other Magrats and ſubjects to Burgh and Land in euerie thing concerneing the good and safetie of the Kingdome, And further with pouer to them to prosecute the warr euerie where against the comon enemie as they shall find neceſsarie, And Generallie with pouer to the said Committee to do act and ordor all and sundrie other things that shall be found neceſsarie for the good of Religion, the honour and happines of the King the union betuixt the King-

domes, and the peace of this Kingdome, And for ordoring, prouideing and dispoſeing wpon the forces belonging to this Kingdome, and for procureing obedience to his Ma: Authoritie, And Authoritie and reſolutions of the Parliament and Committee of Estates And for gouerneing the wholl Bodie of the Kingdome als fullie in all respects, as the Kings Ma; and the Estates of Parlia^t might do if they were sitting in pleno conceſsu Excepting herefrom the Commiſsion for the Priuie Counsell, Judicatorie of Seſsion, the Commiſsion for the exciſe and regulating the accompts, And other Judicatories established by the Laues of the Kingdome wch are reſolued and declared to stand in the full force thereof, And alſo with power to the said Committee of Estates To Nominat the Committees of warr in the seuerall shyres wch are not Nominated by this preſent Parliament, And it is hereby ordoured That the wholl Commiſsioners aforesaid shall at their first meeting in the Committee, Accept the Commiſsion and giue their Solemne oaths for their faithfull and diligent discharge of their trust, And also with pouer to them To make choiſe of new Persons of that same degree and quality to supplie the places of theſe of the Comittee of Eſtates, and Committee of Accompts and Excise who shall happen to deceas, And it is heerby declared, That the Kings Ma: with aduice of the Committee of Estates may prorogate the Parliament, and alter the place as they shall think fitt, And further his Ma: and Estates foresaids hes giuen and graunted to the Committee of Estates, full pouer To add such Perſons To the Committees of warr within the rex̃tiue shyres as haue beene wpon the unlawfull engadgement And hes satisfied the Church where they find it neceſsarie for the good of the Seruice, With Pouer also to the said Committee to prorogate the dyett of Parliament afterspẽit, or to alter the place of sitting of Parliament which day and place is appoynted to be at Perth the fyft day of february nixt to come J^(t) vi^c and fiftie one years, And Lykewise the Kings Ma: and Estates of Parliament, Permitts and allowes the Generall officers To be ſupernumerarie, and to be present with the ſaid Committee, And sicklyke his Ma: and the said Estates giues hereby warrant to the Committee aforeſaid, or Quorum thereof abouementioned To decyde in all things referred to them by the Parliament, ffirme and stable holding and for to hold whateuer the ſaid Com̃^rs or quorum shall do in maner and for the end aforementioned, Lykeas his Ma: and Eſtates foreſaids discharges all former Commiſsions to any Committee of Estates, And appoynts this Commiſsion to endure till nixt Seſſion of Parliament, And further ay and whill the ſamen be ſimpliciter discharged

. . . . . .

ACT Ratefieing the former act of parliament diſcharging penſiones maid in the moneth of granted be his Ma / to any perſone q^r ſum^r and of new diſchairgeing the ſame Except allennarlie the penſione grantit to the Erle of Loudoun lord chancello^r of this realme 139

. . . . . .

REMITT from the parliament to þe Cõmiſſio^rꝭ for the the^rie anent the Improveing of his Ma / rentꝭ to þe beſt availl and if any deficiencie be Remittis to the Cõmittie of eſtaittis to tak further courß þ^r anent 140

. . . . . .

INSTRUMENTIS takin be the L / of ſcottiſcraig anent the productione of the hono^rꝭ viȝ the Croun, Scepter and Sword in face of parliament In name of the Erle Mariſhall which were then delyvered be warrand from his Mãtie and þe parliament To the lord Marqueis of Argyll In name of the Cõmiſſioneris of the theſaurarie 141

. . . . . .

ACT quhairby his Mãtie Ratefies the haill former actis of parliament ſince the ȝeir 1641 and the late treatie at Breda 142

. . . . . .

DECREIT and act Jo^n Lundie of auchtermerny anent the ſelling of a pt of his land 143

. . . . . .

ACT In favo^rꝭ of the burrowis of fyiff 144

. . . . . .

ACT in favo^rꝭ of the L / Buchannan 145

. . . . . .

ACT In favo^rꝭ of Sr Philipe Muſgrave 146

. . . . . .

ACT Salvo Jure Cuiuſlibet 147

. . . . . .

ACT Continueing the parliament to the fyift of februar 1651 148

. . . . . .

Apud Perth,

XIII DIE MARTII, A. D. M,DC,LI.

IN THE SEVENTH SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith, Holden at Perth and begun the thirteenth day of March 1651.

XIII MARTII.

[MINUTES.]

Decimo Tertio Martij 1651 prima dies parliamentj

DOMINO REGE PRESENTE.

Sermon maid by Mr Robert Young

THE oath of parliament being Redd wes takin by all memberis of parliament who wer preſent

THE tuo actis of parliament Anent the electione of ane prefident of parliament on in anno 1641 and the other in marche 1647 Redd in pliament Efter Reiding whairoff The Lord Burghley wes nominat and elected prefident for this ſeſſione of parliament

THE L / M / of Argyll for himſelff and in name of the remanent cõmiſſionerꝭ of the theſurarie did exhibeitt in face of parliament the honorꝭ viz the croun ſcepter and ſword and þ'wpoun aſkit inſtrumentꝭ, wche wer delyvered to the L / of ſcottiſcraig in name of the E / marchell to be keepit by him during this ſeſſione of parliament

THE Kingis Mãtie and eſtaittꝭ of pliament Ordanes ane Cõmittee of three of evrie eſtaitt wt the geⁿ officiarꝭ to be nominat by the pliament for þe militarie effairꝭ, Ane other Comittee of tuo of evrie eſtaitt for overturꝭ, and ane threid comittee of billꝭ of fyve of evrie eſtaitt, the threid pt of evrie committee to be the quorum promiſcuus

ORDANES ane Comittee ffor reveiſing the actꝭ of þe comittee to be named ꝓſiſting of 3 of evrie eſtaitt the quorum vt ſupra

ORDANES three to be addit to the Comittee of grevances wche wes formerlie choyſin be the Comittee of eſtaittꝭ wt pooer to the fd Comittee of grevances to determeyne & the prinⁿ wt the addition to ꝓtinew till the nixt ſeſſioun of parliament, the quorum vt ſupra wt pooer to determeyne betuix mr and tennentꝭ

ORDANES three of evrie eſtaitt to be choyſen as a comittee to confer wt the comiſſionerꝭ for þe geⁿ aſſemblie

THE appeall givin in to the Comiſſionerꝭ for þe geⁿ aſſemblie be Mr James guthrie and Mr dauid bennett wt ane letter from the Comittee of eſtaittꝭ to the fdꝭ Mr James & Mr dauid of the 14 of februar wt ane other letter lykwayes to thame of the 19 of febr, Togidder alſo wt the fdꝭ Mr James & Mr dauid þr tuo anſrꝭ þ'to & pteſtaõnes both of the 22 of febr, in ſeverall paperꝭ Redd in pliament (and givin wp to Mr Thomas henryſone) and Remitted to the Comittee for þe conference

[(1) LETTERS from the Committee of Eſtates to Mr James Guthrie & Mr David Bennet Miniſters at Stirling

Right reverend

THE Kings Maïe and the Committee of Estates haveing had a Letter communicated to them directed from the Presbytrie of Sterling to the Commission of the Church, q'in ȝow had a cheif hand, And withall vnderstanding that they haveing conconferred with ȝow anent your speaking and preaching against the Publict resolutions of Church and State, ȝow have appealed from them, and do ſtill perſiſt in theſe wayes wch tend to the obſtructing of the levie, and may bee of dangerous Consequence to that Place and Garrison of Sterling wch is of ſo great Importance to the Kingdome, THEREFORE the Kings Maïy and Committee have thought it necessarie to desyre and hereby requyre ȝow to repaire to this place against the Nynteinth of this Instant, that efter heareing of ȝour ſelffes ſuch course may bee taken as ſhall bee fund most necessarie for the good and ſafetie of that place Wee remaine Your affectionat freinds Sic ſubr

LOUDOUN Canⁿrius I P D Coñi.

Perth fourteenth of february 1651

Right reuerend

WHEREAS by an Letter from the Kings Ma / and Comittee of Estates Yow were requyred to haue beene at this place wpon the 19th. instant to haue heard what his Ma / and the Com : had to say unto yow in relation to the securitie of Stirling for the reasons therein conteaned, And haueing considered your Letter of excuse comunicated by the Lord Chancellor, with the desire of the Commission of the Church to yow at St Andrewes, Desireing yow to forbeare to do any thing in your charge in that place That might obstruct the present seruice

and Leauie for the defence of the cause and Kingdome against that Army of Sectaries now within the same, With your protestation and appeall, to the Gñall Assemblie in the contrarie, And considering the great importence of Stirling to the cause and Kingdome, wch may be endangered through your discourageing and disheartening the Garrison there, in preaching and speaking against the present Leauies, Haue therefore thought it necessarie To requyre yow againe to repaire to this place, and ordaine yow to stay here, or at Dundie untill his Ma/ returne from Aberdeene, That in a full meeting of the Committee, such course may be taken as shall be found to conduce most to the good of the Kingdome, wch being all we haue to say for the present wee remaine your affectionat freinds

Sic subscribitur

LOUDOUN Canrius I P D Coñ]

Perth nynteenth february
1651

. . . . . .

[(2) PROTESTATION by Mr James Guthrie, ⁊ Mr David Bennett,

AT Perth 22 febrij 1651

QUHAIRAS the Kings Ma/ and ȝour L/ Having been pleased vpon a narrative relating to our doctrine and Ministeriall Dewties to desyr and requyre us to repair to this place against a certaine day conteinit in your lr̃e of the 14 of febrij instant in ansr qrunto wee excused our selves þt wee could not so precislie come hither becaus of bodily Infirmitie of the one of vs known to be of veritie promising withall to vait on his Ma/ ⁊ ȝour L/ so soone as the Lord sould remove the necessity of or delay or Incaice of the not removall þr of that the vther suld come tovard the end of þt weik with the mynd of both. And wee accordinglie Compeiring befor ȝor L/ did schew how willing wee wer to hear qt vas to be said vnto ws and to ansr therunto as is conteined in our declaratioun and protestatioun formerlie given in to your L/ thairanent, ȝit nevir the lesse in the intervall of tyme betuixt his Ma/ ⁊ ȝour L/ receat and publick reading of our humble excuse and our appearance befor ȝour L/ it hath pleased his Ma/ and the Cōmittee of Estats not onlie to requyre vs againe to come to this place (qch vpon the first lr̃e we wer cairfull to doe with all possible Diligence) Bot also to ordaine þr wee suld stay heir or at Dundie till his Ma/ returnd fra Abirdeene that in a full meiting of the Cōmittee such course may be taken as may be fund most ꝯducing for the safty of þt place qr wee srve in the ministrie as his M/ and ȝour Lo/ lr̃e the . . . of febrij 1651 bears qch lr̃e albeit it came not to our hands befor the tyme of or appearing befor ȝour L/ bot vas then delyvered and comunicated to vs, ȝit in relatioun therto wee have also offered to ȝour Lo/ assurance that wee sould returne hither against his Ma/ back cōming fra Abirdeene vntill the qch tyme his Ma/ and ȝour Lo/ lr̃e did continue and delay the busines as also wes declared by ȝour Lo/ to vs at our appeiring befor ȝow, Notwtstanding qr of ȝour Lo/ hes not been pleased to accept of any such assurance nor to allow vs ȝour libertie to repair to our charges till þt tyme And albeit this seems strange to vs especiallie in a matter of our ministeriall functioun and ȝit in dependence between the kirk Judicatories and vs vndecyded Nevirthelesse that wee even suld not so much as seeme in any vays to irritat ȝea or þt offence be not taken in any ways by any especiallie by the Civill Magistrat Doe resolve for preventing of Mistaks and testifieng our respect to Civill Authoritie to endevour to satisfie such an Apoyntment so farr as wee can wtout prejudice to our ꝯsciences the libertie of our ministrie and the solemne bands and obligatiouns lying vpon vs to preach the Gospell in the stations qr God hath sett vs adhering alvays to our former Declaratioun and protestatioun, Lykas wee Doe now heirby protest that wee doe not acknowledge his Ma/ ⁊ ȝour Lo/ to be Competent Judges to presbyteriall acts and lr̃es or our Ministeriall functioun or preaching or any pairt therof quhich ar the subject matter of ȝour Lo/ lr̃e requisitioun ⁊ Ordinance becaus they ar Ecclesiasticall and belong to Ecclesiastick Assemblies as the onlie proper Judges therof And becaus nether the prebr̃ie of stirling qo ar the proper authors of the forsd lr̃e qdk is the first ground of the sd requisitioun ⁊ Ordinance, nor wee have been Conveend therfor befor any Ecclesiastick Judicatorie neither var wee ever conveend or convicted for breach of any Ecclesiastick act in the premisses and so ther hes preceeded no antecedent sentence of the sdf Judicatories finding þt wee have violated any act of the Church in preaching against the present way of levie or þt wee have ill and vnwarrantablie appeald from the Cōmissioun of the Generall Assemblie ther desyre and Charge to vs in þt particular. As also wee humblie protest þt ther be reserved to vs all remedie competent of the law to vs against the gravamen wee suffer by being thus ꝯveined and ꝯfyned by a Civill Judicatorie and having our libertie refuisd to vs to returne to our Charges Notwithstanding of assurance offered to attend at the tyme to the qch our busines is continewit seing this procedur is ꝯtrarie not onlie to divine law the word of God and to the covenant ⁊ solemne ingadgment vnto the acts of or kirk, bot also to acts of parlt and lawf of this kingdome and the establischd richts priviledges and liberties of this kirk

AND vpon supposall that the kings Ma/ and ȝour L/ ver Competent Judges of thes things qch wee doe not acknovledge bot protest aganis for the reasons ꝯteinit in this ⁊ our former declaratioun and protestatioun ⁊ for many vþr reasonf of þt kynd ȝit the heiring of parties befor iudgment past vpon them being a part of þt native libertie þt is dew to

all men (quho doe not by their abſence from and contempt of the Judicatories forfault the ſame) as being foundit vpon the licht of nature cōmon reaſon ⁊ equitie and agreable to the vord of God and lawꝭ of all nations, and the Kings and ȝour Lo / having in your firſt lr̃e to vs proponed þt method of proceeding with vs, Notwithſtanding therof ⁊ of our vndertaking to Compeir within a Competent tyme his Ma / and ȝour Lo / hes without hearing of vs paſt ſuch a Judgment in reference to vs. Therfor wee alſo proteſt againſt ſuch manner of procedour as being ꝯtrarie to that libertie qch is dew to ws and qch wee may iuſtlie challenge as ſubjects and qch his Ma / and ȝour Lo / ar bound by the law of nature, the law of God the Covenant and the lawꝭ of the land to manteine and preſerve inviolable

AND Albeit wee doe not reſolve vpon any licht conſideration to depart from this place or from dundie qr his Ma / and ȝour Lo / hath apoyntit vs to ſtay till his Ma / returne from Abirdeen, Bot for preventing of miſtakꝭ and teſtifieng our reſpect to Civill Authoritie to indevour (as wee have alreadie declared) to ſatiſfie ſuch an apoyntment ſo farr as wee can wtout prejudice to our conſciences the libertie of our miniſtrie and the ſolemne bondꝭ and obligatiouns that ly vpon vs to preach the Goſpell in the ſtatiouns q'in God hath ſett vs. Ȝett doe wee proteſt that our ſtaying heir or at Dundie may not be eſteemit or interpretit ane acknowledgement of the Ordinance in reference to our ſtay bot þt Notwithſtanding therof it is ſtill frie for vs to mak vſe of all theſ priviledges ⁊ liberties qlk ar dew to ws as the Miniſters of Jeſus Chryſt in als frie a vay in tyme coming as wee micht have done befor our Compeiring befor ȝor Lo / or having any ſuch Ordinance intimat to ws.

Mr James Guthrie
Mr Da: Bennet

Perth 28th feb. 1651
Red in preſence of the Cōmittee of Eſtats.

13 Martij 1651
Red in plain pliat efter the productioun be þe lord Chanr]

. . . . . .

HIS Mãtie ⁊ eſtaittꝭ licenciatꝭ any member of pliament to be pñtt at any of þe comitteeis

THE noblemen nominat for the Comittee for the billꝭ, E / Tweddaill newburgh, L / Torphichane, Coupar Cranſtone; The barrones nominat Clerkingtoun keith ſtobbis Lamertoun Luſſ, The Burrows nominat Rot dauidſon George gardyne, wm ſympſon Rot whyte ⁊ George Jamiſon To meitt in the parliament hous

THE noblemen nominat for the overturꝭ the E / Linlithgow E / of Buccleuch E / weymes, Barrones nominat Nidderie Caverꝭ ⁊ ſkirling, The burrows nominat Andro glen George Jamiſon ⁊ Jon boſuell, to meitt in Buccleuches hous

THE noblemen nominat for the militarie effairꝭ M / Argyll, E / caſſillꝭ L / Balcarrais, The barrones nominat Toſtis nauchtoun freeland, the burrowis nominat Sr Johne ſmyth andro grant ⁊ James ſword to meitt in Argyllꝭ chalmer

THE noblemen nominat for þe conference wt the kirk M / Argyll E / caſſillꝭ E / Buccleuch, the barrones nominat Clerkingtoun caverꝭ nidderie, Burrowis nominat Sr Jon ſmyth andro grant Ja ſuord

ORDANES the E / caſſillꝭ the ſhireff tiviedaill James ſword to acquaynt the Comiſſionerꝭ of þe kirk that þr is ſum pſones appoynted for conference wt thame and to appoynt a tyme and Ordanes ſcottiſcraig to acquaynt the miniſterꝭ of ſtirling not to go aff toun

THE noblemen nominat for the comittee for reveiſing the actꝭ of þe Comittee of eſtaittꝭ, E / Eglintoun Lothian Roxburgh, the barrones nominat Cragdarroch Eſcoge mouſwald, The burrowis nominat Rot whyt George Jamiſon ⁊ George gardyn To meitt in Eglintones chalmer

THE noblemen addis to the Comittee of greevances formerlie appoynted be the Comittee of eſtaittꝭ, the L / mongomrie, L / yeſter, L / angus The barrones addis Bauchiltoun Lochtour ⁊ Mr Thomas murrey The burrowis addis Dauid wilkie Rot arnot ⁊ Mr Johne patterſone to meitt in þr ordinar place

ORDANES the Comittee for þe militarie effairꝭ to meitt preſentlie, The haill remanent comiſſiones to meitt the morrow at eight hourꝭ, and the pliament at tuo efternun

. . . . . .

ACT nominating the lord burghley to be preſident of parliament for this ſeſſioun of parliament 1

. . . . . .

INSTRUMENTIS takin be the L / M / of Argyll vpon the productione of the honorꝭ 2

. . . . . .

COMMISSIOUN to the Cōmittie of Billis 3

. . . . . .

4 COMMISSIOUN for the Cōmittie of overto^r^ꝭ

. . . . . .

5 COMMISSIOUN for the militarie effairꝭ

. . . . . .

6 COMMISSIOUNE for the Conference

. . . . . .

7 COMMISSIOUNE for Reviſeing of the actis of the Cōmittie of eſtaitꝭ

. . . . . .

8 ACT adding certane perſones to the Cōmittie of greivances

. . . . . .

XIV MARTII.

[MINUTES.]

Decimo quarto martij 1651 2^a^ dies parl.

DOMINO REGE PRESENTE

Prayerꝭ heard and Rollis callit

REPORT from the comittee for þe militarie effairꝭ redd q^r^wpō His Mātie and eſtaittis of parliament Ordanes a monthes mentenance to be Impoſed wpoun the haill ſhyres on this ſyd of forth to burgh and land, Suſpending alwayes the proportione to be payed be the burrowis till the parliament or comittee of eſtaittꝭ give further ordo^r^ at w^che^ tyme ſpeciall conſideratione is to be takin of ſuche burrowis as ſubſiſt only by thair traiding, And Ordanes the ſhyres of forfar, perth and fyff to give in thair proportiones of þe I^d^ monthes mentenance in meall at 12 li þe boll, the reſt of þe report approvin

TO remember to conſidder the artickles of war and if nothing be in thame concerneing the abuſſ in quarteringis, that it be ſupplied ⁊ this remitted to the Comittee for militarie effairꝭ

REMITTIS to the Comittee of militarie effairꝭ to conſidder the artickle anent the pay in money to the officiarꝭ

REPORT preſbetrie of S^t^ androis remitted to the comittee for greevances

ORDANES a warrand to be direct to the L / Carnegy for tranſporting of the three ſojo^r^ꝭ who ar Impriſoned in monroſſ to this burghe and to bring Informa^o^ne from the miniſterꝭ anent thame concerning the abuſing ⁊ forceing of a woman

REPORT James bruce of powfoules Redd and cita^o^ne granted

REPORT anent Bailyeis of bruntyland Redd and approvin

A PAPER givin in anent the examina^o^ne of thoiſſ who wer in the caſtell of ed^r^ remitted to the Comittee of billꝭ ⁊ ꝯtinewis examina^o^ne till tueſday that his Mātie advocat be preſent

REMITTED to the Comittee of militarie effairꝭ to conſidder of ge^ll^ Maior Maſſey that ſum incuradgment may be givin him and ſum mark of reſpect putt wpoun him

ACT anent Lame ſojo^r^ꝭ Redd and approvin ⁊ ordaned to be Intimat at the head of the randevouſſ in everie ſhyre

HIS Mātie ⁊ eſtaittꝭ of parliament Gives warrand to the Comittee of bruntyland to examine Johne Hamiltoun ⁊ otherꝭ vīʒ

ORDANES the haill Comitteeis to meitt preſentlie ⁊ the morrow at eight houris and the parliament at ten hourꝭ

. . . . . .

ACT anent a monethis manteinance to be payed be the haill ſchyres benorth forth 9

. . . . . .

ACT ordaineing Ten pund of 15 pund Receaved be the Colonellꝭ of horſſ of the new Leavie to be givin to the gñall Cōmiſſ^r^ 10

. . . . . .

ACT anent the muſtering of the haill Regimentis of horſſ on this ſyde of abirdeine and conteining thairin the Inſtructiones 11

. . . . . .

ACT ordaineing Twa Regimentꝭ of horſſ To be removed aff perthſchyre and Thrie Regimentis of horſſ aff the ſchyre of fyiff 12

. . . . . .

RECOMMENDA^o^NE to the Cōmittie of greivances In favo^r^ꝭ of Captaine livetenant Crafoord Captane Liv^t^ buntein and Cornett James fyme 13

. . . . . .

COMMISSIOUNE to certane perſones anent the finding out of armes and āmunitione 14

. . . . . .

15 COMMISSIOUNE Anent the Baillies of Bruntiland

. . . . . .

16 ACT Anent the lamed ſojo^{rs}

. . . . . .

17 ORDOUR for the Cõmittie of warr of fyiff for cariage of wictuall from Newburgh to ſtirling with aſſureance of payment for any further ſervice if it ſhalbe requyred

. . . . . .

18 ORDOURIS for examining witneſſ^{is} anent the caſtell of Ed^{r}

. . . . . .

XV MARTII.

[MINUTES.]

15 Martij 1651 3ª dies parl.

DOMINO REGE PRESENTE

Prayer^{s} heard and roll^{s} callit

THE Kingis Mãtie and Eſtaitt^{s} of parliament Ordanes Maior ge^{ll} Johne Leſlie, and bailyie of bruntyland who is alledged to have wronged the ge^{ll} maior to be wreattin for to repair to the parliament agane tueſday nixt and Gives warrand to S^{r} Jo^{n} broun to haue a cair of the toun till the vther ge^{ll} maior returne

COMMISSIONE for James wilſon & duncan Nairne

HIS Mãtie and Eſtaitt^{s} of parliament Ordanes the former comittee appoynted for þe conference to conſidder the pteſta^{c}nes givin in by the miniſter^{s} of ſtirling, w^{t} the paper givin in & redd this day, & to draw out ſuche queereis from the ſame as they think neceſſ^{r} to be the ſubiect of þe conference and to report to the parliament

HIS Mãtie and Eſtaittis of pliament ordanes the Comittee of war of fyff to caus provyd horſſ^{is} and carie the 700 boll^{s} from newburgh to ſtirling w^{t} all poſſibill diligence and if any further cariadge be Impoſed wpoun þe f^{d} ſhyre they ſhalbe ſufficientlie ſatiffeyed þ^{r}foir

SUPPLICA^{o}NE miniſter^{s} of Glaſgow Remitted to the Comittee of bill^{s}

ORDANES the Cõmitteeis to meitt at tuo houres the pliament at four and the Conference at ſix hour^{s}

Eodem die poſt meridiem

DOMINO REGE PRESENTE

REPORT from the comittee of bill^{s} anent the herito^{rs} of þe ſhyre off boott Redd and Comiſſione granted to revalue the totall not being diminiſhed aff the ſhyre

REPORT from the comittee of bill^{s} concerning the ſhyre of kinroſſ Redd and approvin the totall not being diminiſhed

A PAPER givin to the Comiſſioner^{s} who ar wpon the conference Redd in pliament and approvin

THAT tuo of evrie eſtaitt be named be the ſeverall bodyes to think wpoun the accompt^{s} of þe comiſſ^{r} of the theſaurarie and effairis of the kingis hous and to look wpoun the bygon accompt^{s} of both & conſidder þ^{r}off, and to report to the pliament

. . . . . .

COMMISSIONE anent James wilſoune and duncane nairne 19

. . . . . .

COMMISSIOUNE grantit for revalueing of the ſrefdome of Boott 20

. . . . . .

COMMISSIOUNE grantit for revalueing of the ſrefdome of kinros 21

. . . . . .

XVII MARTII.

[MINUTES.]

17 martij 1651 4ª dies parliam.

DOMINO REGE PRESENTE

Prayer^{s} heard and rollis callit

HIS Mãtie and eſtaittis of parliament Ordanes his Mãties Regiment to remayne q^{r} they ar in fyff till further ordo^{r}, and Remitt^{s} to the Cõmittee of militarie effair^{s} to conſidder what three regiment^{s} ſhall be removed from fyff, and to what place they ſhall go to quarter

HIS Mãtie and eſtaitt^{s} Ordanes S^{r} francis Ruthven and peter young of ſeatoun to muſter the troupes belonging to Maior boſuall and hoome in abſence of the Lord Lour and Sr James ogilby

REMITTED to the ſeverall bodyes to conſidder of the Comittee of eſtaittꝭ thair number and perſones till the morrow

A PAPER givin to the Comiſſionerꝭ who ar wpoun the conference Redd voyced and paſt

REMITTIS to the Comittee for the conference to ꝓfer wᵗ the comiſſionerꝭ of the geⁿ aſſemblie anent the oath to be takin be the haill officiarꝭ of the army

REMITTIS to the Comittee for the militarie effairꝭ to conſidder of the artickles of war and to confer wᵗ the Comiſſionerꝭ of the geⁿ aſſemblie anent the abuſß in quarteringis, and report ꝑ thoghtꝭ ꝑwpoun to the parliament

THE Eſtaitt ꝛ condition of the ſouth ſyd of the water of forth Remitted to his Mätie and ſuche of ꝑe pliament as he ſhall call for haveing intereſß ꝑ to conſidder what ſhalbe done in relatione ꝑto

REPORT from the Comittee of grevances Remitted to the ſeverall bodyes

ORDANES the Cõmittee for the militarie effairꝭ to tak the eſtabliſhment in conſideraᵒne both concerning officiarꝭ and ſouldioᵘrꝭ ꝛ report the morne

REPORT concerning James bruce of powfoulles from the comittee of billꝭ Redd and the ſᵛvice diſcharged for fyftein dayes incluſive efter this day ꝛ the tutoᵘr ordaned to be warned

REMITTED to the Comittee for ꝑe militarie effairꝭ to conſidder of ſum effectuall courß for bringing wp of the forces from the north ꝛ yles

COMMISSIONE for viſiting of the vniverſitie of Glaſgow paſt in pliament

DISPENSATIONE to the Comiſſᵛrꝭ of Glaſgow and hamiltoun to ſitt vt in ſcriptis

LIST of the pſones of ꝑe Comittee of war of the ſhyre of boot Redd and approvin

REPORT from the Comittee of billꝭ Concerneing the fitting of the Cõmiſſᵛrꝭ of edᵉ ꝛ confirming teſtamentꝭ Red ꝛ remitted to the ſeverall bodyes

[PETITION of the Commiſſaris of Edinburgh to the Committee of Eſtates & Report of the Committee of billis ꝑvpon

TO The Kings moſt Sacred Maᵗ And the Honorable Lordis and other membrꝭ of the Cõmittie of Eſtaittes The humble petitioune of Mʳ Joⁿ niſbit David falconer James baird ꝛ Harie foullꝭ Cõmiſſᵛrꝭ of edinburghe

Scheweth

THAT quhair the cõmiſſariat of edᵉ and haill boundis wᵗʰin ꝑe fame is altogidder overrun and poſeſſed be the Cõmoun enemie And ꝛo petitionerꝭ and the moſt pairt of the Gentilmen and otherꝭ quha had ꝑair refidence and being within ꝑe ſd Cõmiſſariat out of thair Loyall affectioune to the cuntrie and that they ſould have no complyance with the prevailling enemie Hes retired ꝑameſelfes to ſome other places wntill it ſould please God to grant ane happie delyverance And in the interim diverß of thoß quho had retired vpone the occaſioune forſd being deſeaſſed ꝛo petitionerꝭ ar deſyred to confirme thair Teſtamentꝭ. And albeit ꝛo petitionerꝭ doe humbly conceave that the confirmaᵒune of ſuch perſones belongeth onlie to them Inreſpect ꝑe ſaidis perſones had befor and in ꝑe tyme of ꝑe Invaſioune of the Enemie thair refidence houſß landis and goodis within ꝛo petitionerꝭ cõmiſſariat And as ȝitt and the tyme of thair deceaſß thair houſß ſtokis goodis ꝛ geir pleniſching and vther moveables quhich fallꝭ vndir confirmatioune was and is for ꝑe moſt pairt keiped and poſeſſed thair be ſᵛvantꝭ and otherꝭ in ꝑ names and to the behoof of them and thair neireſt of kin And it is mor nor notour that thair being elßqᵘr the tyme of thair decies was not anᵘno morandj and of thair intentioune to chaing thair abode and domiceill butt onlie vpone the occaſioune foirſaid And in the interim of this calamatous tyme And in ꝑe notion and interpretatioun of Law all perſones qᵃ in ſuch tymes Are takin and driven frome ꝑair houſß and places of thair abode be prevailling enemies Are eſteamed if they die during the foirſaid ſad conditioune to deceaſß in civitate and in the ordinarie place of thair being, and refidence befor ꝑe ſamen, And ſeing it is againſt all reaſſone and equitie that aither ꝛo petitionerꝭ or thoß qᵃ ar concernedᵉ in ꝑe confirmatioune of ſuch teſtamentꝭ (quho are deſyrous that the ſamen ſould be rather confirmed be ꝛo petitionerꝭ being thair ordinary Judges then by any vther) Sould be prejudged vpone the occaſioune of thoß tymes And to ſo many miſerable ſufferingis this prejudice ſould be added qᵘeas it may be prevented NEWERTHELES ꝛo petitionerꝭ will not preſume to proceed in ꝑe ſaid extraordinarie caice without reſolutioune ꝛ warrant frome ꝛo Maᵗ and the honorable Comittie Thairfor they humbly petitioune that ꝛo Maᵗ and the honorable Comittie may be pleaſed to give warrand to And authorize ꝛo petitionerꝭ to confirme ꝑe Teſtamentꝭ of all ſuch perſones as had ꝑ actuall refidence wᵗʰin ꝑe ſaid cõmiſſariat of edᵉ and haveing retired vpone the occaſioune foirſaid and deſeaſſed or ſall deceaß in ꝑe Intervall of this hard tyme wntill it please God to remove the occaſioune qᵘwpon they ar driven frome ꝑ owine houſß And lykwayis to confirme all vꝑ teſtamentꝭ qᶜʰ aucht to be confirmed be the law and practiq of this kingdome be the cõmiſſᵛrꝭ of edᵉ Notwᵗʰſtanding that the Judicatorie is not nor cannot be keiped nor ſitt in ꝑe ordinarie place wᵗʰin the ſaid Comiſſariat, And to that effect that ꝛo petitionerꝭ may be authorized to hold courtꝭ for confirmaᵒune of Teſtaᵗꝭ at Dundie and other places moſt

convenient and to direct edictꝭ and cauſ þe ſamen be executt and to doe all vþr thingis requiſit þranent And that all edictꝭ for confirmeing of the Teſtatꝭ of ſuch perſones qa had thair reſidence wthin þe ſd cōmiſſariat and had retired vpone þe occaſion foirſaid being executt at þe mercatt croces of the head burghes qr the ſdis pſones deceaſſed or at the kirk doirꝭ of the paroch qr þe perſones ſall happine to deceaſ as beſt conveniently may be had for þe pairtie intereſt eaſ and good And for the Teſtatꝭ of ſuch perſones as ar deſeaſſed or ſall deceaſ wthin the cōmiſſariat of edr being executt at þe mcatt croces of Bruntylland ꝛ Kirkcaldie duireing the interim foirſaid And all ſuch teſtatꝭ being confirmed be ȝot petitionerꝭ may be alſ valeid ꝛ effectuall as if the ſamen war executt and confirmed at þe ordinarie places And that all vther cōmiſſrꝭ may be diſchairgit to medle with the foirſd Teſtatꝭ And if neid be that lres be direct to þt effect And ȝor Ma / and the honorable Comitties anſr they humbly craive

Perth 12th March 1651

The Kings Maty / and Cōmittee of eſtats Remitts the Supplication wtinwritten and the reaſons thereof to the Parliat

A Henderſon Cls Dom : Com :

Decimo Septimo martij 1651

IT is the humble opinione of the Cōmittie of billis That the Cōmiſſrꝭ of edr ſould haue the onlie power of Conferming the teſtamentis of ſuch perſones as had þr ordinarie dwellingis within the boundꝭ of the Cōmiſſariat of edr ſince the 15 of Junij laſt and to ſitt at dundie for that effect And þat all vther Cōmiſſrꝭ be diſchairged from Conferming þroff, And for the bettir giveing notice of the ſaidꝭ confirmaones That the Edictis be proclamed at the heid burghes of the ſchyres of this ſyd of forth whaire the perſones died or ſhalhappin to die, at the kirk doore of the pariſhe qr they deceiſſed and at the croces of bruntiland and kirkcaldie: And that the edictꝭ of the teſtamentis of ſuch perſones as deceiſſ be ſouth forth be publiſhed at the mercatt croces of bruntiland and kirkcaldie allennarlie dureing the ſaidꝭ troubles And that eſtir proclamaone of the ſamyne edictꝭ The Cōmiſſrꝭ doe not goe on to conferme Till fourtie dayes eſtir the day of Compeirance wt declaraone alwayes That it ſall not be leiſſum to the ſaidꝭ Cōmiſſrꝭ To wſe any coactive power aganis any perſone for conferming of the Teſtat or goodꝭ of any of the ſaidꝭ defunctis except the ſamyne be deſyred at the Inſtance of Creditorꝭ, who haveing gottin power for conferming of þe ſaid teſtamentꝭ ſall infer no preference to any vther creditorꝭ to whoſe knawledge the ſamyne hes not cum Bot that all creditorꝭ ſhall cum in in the diviſione of the ſaidꝭ goodꝭ proportionallie according to the ſaidꝭ debtis And althoe any creditor as confermed or haveing obtanit ſentence have Intrometted wt any of the defunctis goodꝭ yit notwtſtanding þroff They to be anſrable to the remanent creditorꝭ In maner forſd And that the Comiſſrꝭ be anſrable for the ſufficiencie of the caurꝭ qm they tak the tyme of the receaveing of them

J Coupar I. P. D. Com̄.

Perth 17. March 1651
Remitted to the bodies]

. . . . . .

PAS granted to Rot morray to go to Edr

ORDANES the comittee for the conference to meitt this eſternun the ſeverall bodyes to meitt the morrow at eight hourꝭ the haill comitteeis at ten houres and the pliament at tuo eſternun

WARRAND ꝛ paſſ granted to Johne deny merchand in glaſgow to bring victuall from orkney or the yles to the weſt cuntrie in a bark callit the kathrein of greinock the ſkippers name is Gabriell holmes the prinll ſubſcryved by the preſident given to the ptie for his more ſecuritie

. . . . . .

ACT diſchairgeing the ſervice quhairby James bruce of powfoullis was ordained to be ſerved aire to his father 22

. . . . . .

COMMISSIONE for viſiteing the vniverſitie of glaſgow 23

. . . . . .

DISPENSAONE to the Cōmiſſrꝭ of glaſgow ꝛ hamiltone to ſitt 24

. . . . . .

LIST of the Cōmittie of warr of the ſchyre of Boott ꝛ comiſſione granted to thame 25

. . . . . .

WARRAND gewin to Johne denny merchand for tranſporting of victuall from orknay to the weſt countrie 26

. . . . . .

ORDOURIS to the Cōmittie of warr of the ſchyre of fyiff anent the quartering of the Kingis Regiment 27

. . . . . .

REMITT anent the Conditione of thoiſ of the ſouth ſyde of fforth, to the Kingis Mātie 28

. . . . . .

XVIII MARTII.

[MINUTES]

Decimo octavo Martij 1651 5ª dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

THE oath of pliament takin be the memberſ of parliament who had not takin the ſame formerlie

SUPPLICAᴼNE Geⁿ arteliarie Redd ꝛ Remitted to the comittee of militarie effairſ wᵗ pooer to thame to determeyne but preiudice of former affignmentſ maid to Sʳ Joⁿ ſmyth and the L / nidderie

SUPPLICAᴼNE E / Levin L / Generall Redd in pliament and remitted to the ſeverall bodyes

SUPPLICAᴼNE Sʳ Johne falconer Redd in pliament ꝛ Remitted to the ſeverall bodyes

SUPPLICAᴼNE Sʳ Wᵐ Bannatyne ꝑ E / Roxburgh wᵗ the fᵈ Erle his anſʳᵉ maid ꝑto Redd in pliament ꝛ Recommitted to the Comittee of billſ to heir the ꝓteis and call for the former cõmiſſione.

SUPPLICAᴼNE George logie Redd and Libertie granted for tranſporting 28 bollſ victuall for ꝑe vſ mentionat in the bill

THE bill givin in be the Comiſſʳſ of edr wᵗ the opinion of the Comittee of billſ ꝑwpoun delyvered to his Mãties advocatt to be conſiddered ꝛ report

PASS granted to Philip Kinkaid to go to Edr

ORDANES the Comittee off billſ to appoynt on of evrie eſtaitt of ꝑ nũber to heir geⁿ maior leſlie and the bailzeis of bruntyland and to examine witneſſ

ORDANES the Bodyes to meitt preſentlie, the Comittee of militarie effaires ꝛ the Comittee of billſ to meitt the morrow at halff eight, and the parliament at nyne hourſ

. . . . . .

XIX MARTII.

[MINUTES]

19 Martij 1651 6ª dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

BEING put to the queſtion Quhither or not the difference of the queſtiones conteanit in the paperſ givin in ſhall be decydit be a comittee or be the hous, It wes voyced to be decydit be the hous

ORDANES the nixt meitting of parliament to be at three hourſ eſternun

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerſ heard ꝛ rollſ callit

PETITIONE from the Comiſſionerſ of the geⁿ aſſemblie Redd

ANSWER from the Comiſſione of the geⁿ aſſemblie to the paper ſent to thame from the Kingis Mãtie and parliament concerneing Mʳ James guthrie ꝛ Mʳ dauid benett Redd in pliament The L / preſident in name of the K / Mãtie and pliament Returned thame hartie thankſ for ꝑ cair and vigilancie The paperſ remitted to the Comittee of overturſ and addis to the Comittee E / Linlithgow, L / Nidderie ꝛ Andro glen

ALEXᴿ Maxwell maiſſʳ wes comanded to Intimat to the miniſterſ of ſtirling that they ſhould not go out of this cittie till they wnderſtand his Mãties ꝛ pliamentſ further pleaſur qᵘᵉ wes accordinglie done be him

THE Kingis Mãtie and pliament eſter voyceing Ordanes the queree eſter ſpẽit viz whither or not it be ſinfull and wnlawⁿ for ꝑe moir effectuall proſecuᶜⁿ of the publict reſolutiones for ꝑe defence of ꝑe caus the king, and kingdom, To admitt ſuche perſones to be memberſ of the Comittee of eſtaittſ who ar now debarred from publict truſt, They being ſuche as haue ſatiffeyed the kirk for ꝑe offences for wᶜʰᵉ they wer excludit, and ar ſince admitted to enter in covenant with ws, To be ſent to the Comiſſionerſ of the geⁿ aſſemblie, wᶜʰᵉ accordinglie wes done by the Erle of Eglintoun

REPORT from the Comittee of billſ anent the comiſſʳſ of edr wᵗ the L / advocattſ anſʳ Redd in pliament and the L / advocattſ draucht approvin and Ordanes the Comittee of overturſ to give in ꝑ opinione anent the preference of creditourſ

REMITTIS to the Comittee for the militarie effaires That a ſurgein be appoynted for Inchgarvie, and to the Comiſſionerſ off ꝑe geⁿ aſſemblie that a preacher may be appoynted for thame and the lyk for blakneſſ

SUPPLICAᴼNE Poore priſonerſ at Newcaſtell Redd ꝛ Keath appoynted to repreſent the ſame to the Commiſſionarſ of ꝑe geⁿ aſſemblie to mak that wᶜʰᵉ is formerlie collected effectuall to the priſonerſ

ACT ordaneing the L / Nidderie to haue the charge of his brotherſ troup

LETTER to the Liveten. geⁿ ⁊ Coⁿ Craig for giving the L / nidderie charge of his brotherꝭ troup ⁊ þᵗ all otherꝭ be diſcharged to comand the ſame as Rootmaſter

THE noblemen nominat the E / of Roxburgh and Buccleuch, The barrones nominat Nauchtoun ⁊ ſkirling, ⁊ the burrowis George gardyne ⁊ Joⁿ boſuell to be a comittee for ꝑſiddering the effairꝭ ⁊ accomptꝭ of the theſurarie

ORDANES the Comitteeis to meitt the morrow at halff eight and the pliament at tuo efternun

. . . . . .

29 ACT anent the fitting of the Cōmiſſʳꝭ of edʳ

. . . . . .

30 ACT ordaineing the L / Nidrie to haue the chairge of his brotheris troupe

. . . . . .

XX MARTII.

[MINUTES]

20 Martij 1651 7ᵃ dies parl.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollis callit

REMITTIS to the Comittee of militarie effairis to wreat to the clerk regiſter and ſend inſtructiones to him for his goeing to edʳ anent the taking of the regiſterꝭ qᵐ efter voyceing the parliament ordanes to go for þᵗ effect, and remitꝭ to the ſᵈ Comittee the ſupplicaᵒne givin in to thame be the ſkipper of the ſhip

REMITTIS to the comittee of overturꝭ to conſidder if it be neceſſʳ that the warrandꝭ of parliament be ſubſcryved be on of evrie eſtaitt wᵗ the preſident

THE Kingis Mãtie and Eſtaittꝭ of pliament Remittꝭ to the Commiſſionerꝭ of the geⁿ aſſemblie to tak ſuche courß concerneing the miniſterꝭ of ſtirling as that the place ſuſteane no preiudice from thame

THE Kingis Mãtie and parliament Ordanes warrandꝭ and citationes to be Iſſued furth be the Comittee of billꝭ for ceitting all and evrie on of the debtoꝛꝭ of Coⁿ Arᵈ ſtrauchane To compeir befoir þe pliament or comittee of eſtaittꝭ efter the parliament is ryſin To heir and ſie thame decernit to mak payment to the Comiſſionerꝭ of the theſurarie for his Mãties vß of ſick ſowmes of money as they ar auchtand to the ſᵈ Coⁿ ſtrauchan, And the Eſtaittꝭ of parliament declairis that the diſcharges to be granted to the ſaidꝭ debttorꝭ be the Comiſſionerꝭ of the theſurarie of the ſᵈꝭ ſowmes ſhalbe valeid and ſufficient diſcharges to warrand the ſᵈꝭ debttorꝭ at the handꝭ of þe ſaid coⁿ ſtrauchane and all vtherꝭ haveing intereſſ In reſpect it is notoꝛlie knowin to the eſtaittꝭ that the ſᵈ Coⁿ ſtrauchane is gone in to the publict enemy of this kingdome

REMITTIS bak agane to the Comittee of Grevances to conſidder the report from them concerning the ſupplicaᵒne givin in be the preſbetry of Sᵗ androis, and addis to the ſᵈ comittee for þᵗ pticular the Erle of Linlithgow E / roxburgh L / Balcarrais and Coⁿ ſcott To meitt ⁊ report

SUPPLICAᵒNE Wᵐ baxter ꝑra arnottꝭ Redd ⁊ remitted to any tuo Lordꝭ of ſeſſione quho ar heir wᵗ tuo extraordinar Lordꝭ to heir thame ⁊ ſattill thame ⁊ if they cannot ſattill to report

SUPPLICAᵒNE Lewis Gordoun Redd ⁊ remitted to þe ſeverall bodyes wᵗ the other paper givin in be him

OVERTURIS givin in be the Barrones Redd and remitted to the ſeverall bodyes

LETTER from Sʳ Joⁿ broun Redd in pliament of the 20 of this inſtant wᵗ the other paperꝭ ſent þᵗwᵗ ⁊ remitted to the comittee for militarie effairꝭ

LIBERTIE granted to peter rollok for tranſporting ſum victuall

ORDANES the Comitteeis to meitt the morrow at halff eight The bodyes at ten and the pliament at tuo efternun

. . . . . .

ORDOUR from his Mãtie and the parliament to Sir Archibald Joⁿſtoune clerk reg̃re to goe to edʳ anent the taking of the regiſteris and to deall for bringing of them bak with power to the Cōmittie for militarie effairis to give him his Inſtructiones in writt for that effect 31

. . . . . .

ORDOUR from his Mãtie and the parliament To the Cōmittie of Billis for directing furth of preceptis for citaᵒne of the debtoꝛꝭ of Collonell Arᵈ ſtrauchan To Compeir befoire the parliament or Cōmittie of eſtaittis To mak payment of ſuch ſowmes of money as they ar auchtand to him 32

. . . . . .

13 COMMISSIOUNE to two ordinar and two extraordinar lordis of ſeſſioun anent williame baxter his complent ꝓra Arnottis

.....

XXI MARTII.

[MINUTES]

21 Martij 1651 8. dies parl.

DOMINO REGE PRESENTE

Prayerꝭ ſaid and rollꝭ callit

THE Kingis Mãtie did name Sr Rot murrey to be Juſtice clerk the place being vaickand in reſpect of the L. ceſſhock his not accepting of the ſã wche nominaõne wes approvin in pliament, and ordanes ane act to be extendit and ane gift to be paſt to him wnder his Mãties great ſeall, and the ſd Sr Rot to be wreittin for to repair heir wt diligence to accept the place

A PAPER concerning the crying wp of money and ſtopeing of exportaõne þrof Redd qrwpoun his Mãtie & eſtaitꝭ ordanes three of evrie eſtaitt to be named as a comittee to conſidder þroff and to call for any they think fitt and wnderſtanding in that mater to be aſſiſting to thame the maior pars the quorum & to report þr opinione þroff to the parliament

REPORT from the Comittee anent the effairꝭ of his Mãties familie Redd & remitted to the ſeverall bodyes

ACT in favorꝭ of Geⁿ Maior Mongomrie Redd & paſt

ORDANES ane letter to be wreattin to the comittee of war of fyff to wnderſtand what exemptiones ar granted to geⁿ Maior Joⁿ leſlie þr þefter they may tak the exemptiones givin to him in conſidaõn and Remittꝭ to the Comittee for militarie effairꝭ to conſidder what further eſtabliſhment they will grant him, & of a regiment qⁿ occaſione offerꝭ

REMITTIS to the Comittee of militarie effaires To conſidder what regiment ſhall be ſent to athoill to quarter except the Lord Drumondꝭ regiment

REMITTIS to the Geⁿ qrtermaiſter to quarter the haill regimentꝭ of horſſ amongeſt the four ſhyres of fyff perth forfar and Kincardyne equallie according to the proportione of thair ſeverall mentenance

SUPPLICAõNE Lewis Gordoun Redd in pliament and his Mãtie and parliament efter voyceing Ordanes the ſupplicant To be reſtored aganes the foirfaultor, and Ordanes ane act to be drawin þrwpoun, and the reſtitutione to be but preiudice of lawⁱⁱ creditorꝭ and but preiudice to any other who haue acquyred any ryt ſince the foirfaultor be vertew þroff

SUPPLICAõNE Anent the diſjoyneing of the parochein of monygaff from the ſtewartrie of kirkcudbright Redd & paſt ꝓforme to the deyverance

SUPPLICAõNE be the heritorꝭ of þe ſhyre of forfar Redd & recomendit to the Comittee of war of the ſhyre to grant eaſe according to the deſyre of þe ſupplicaõn

SUPPLICAõNE four ordinar maiſſerꝭ Redd and paſt in parliament

ACT ordaneing ſuche as gives informaõn of any who hes exacted money for men or horſſ to haue the halff of þe pecuniall payne decernit aganes the delinquentꝭ Redd and paſt

DRAUGHT of ane oath to be takin be the officiarꝭ of the army wt ane deſyre from the Comiſſionerꝭ of the geⁿ aſſemblie that the ſame may be putt to ſum poynt Remitted to the conference

ACT diſchargeing all officiarꝭ or ſojorꝭ to exact money in þr quarterꝭ Redd voyced and paſt in pliament

ORDANES the ꝓference to meitt Imediatlie efter the parliament

REPORT parochinarꝭ of Cardroſſ Redd and approvin

REPORT from the Comittee of militarie effairꝭ anent the geⁿ artelliarie & trayne the furniſhing of ſpaidꝭ & ſholles &c Redd & approvin

REPORT from the Comittee of billꝭ concerning Thomas Cunynghame Redd and approvin and ordanes the factorie to be regrat in the bookꝭ of councell

TWO Commiſſiones anent the L. hoptoun & kathrein walkerꝭ houſſ in edr

REPORT parꝭ of morvinſyd ſlamanno & falkirk Redd and approvin

REPORT Bonatmakerꝭ of the hill of dondey Redd and approvin

TWO Reportis L. newliſtoun & breiſtmylne Redd and approvin

REPORT Joⁿ Gullane Redd and approvin in parliament

ACT George bruce ꝯr Balmuto

REPORT Valentyne Naper approvin

REPORT parꝰ of blaklunance Redd ꝛt paſt

SUPPLICAoNE James Reid paſt

ACT ꝛt overturꝰ aganes the collectorꝰ and ſubcollectorꝰ Remitted to the Comittee of overturꝰ

COMMISSIONE to Johne ſhort proveiſt of Stirling

ORDANES the ſeverall bodyes to meitt the morrow at eight hourꝰ the parliament at ten

. . . . . .

34 ACT nominating and appoynting Sr Robert Murray to be lord Juſtice Clerk

. . . . . .

35 ACT in favorꝰ of gell Maior Mongomrie

. . . . . .

36 REMITT Supplicaone gevin in be the parochineris of monygaff to the Comittie of warr of the ſchyre of wigtoune

. . . . . .

37 REMITT Heretorꝰ of forfar to the Comittee of war þroff

. . . . . .

38 ACT In favorꝰ of the four ordinar maiſſeris of parliament and ſeſſioun

. . . . . .

39 ACT in favorꝰ of gell Maior Jon Leſlie

. . . . . .

40 ACT Ordaineing ſuch as gives Informaone of any who haue exacted money for men or horſe to haue the half of the paine decernit aganis them

. . . . . .

ACT diſchairging officeris ꝛt ſouldiorꝰ to exact money in thair quarteris.

41 AT PERTH the Tuentie day of March Jm vjc and ffiftie ane yeiris OUR SOVERANE LORD and Eſtaitꝰ of Parliament now pñtlie conveened in this ſevinth ſeſſioun of this ſecund Trienniall parliament Haveing takin into there Conſideraone the preſent ſad conditione of the Countrie In reſpect of the many heavie burdingis (Tho neceſſr) alreadie layed on and ſtill lying vpon heretorꝰ tenantꝰ and otheris whaireby all the money in there handis may be exhauſted THEREFORE It Is Inacted Statute and Ordained That all officeris of horſ and foote haue onlie reall quarteris according to the number and qualitie of the bodies of men and horſe quartered DISCHAIRGEING heirby all officeris or ſojorꝰ horſe or foote To wplift or exact any money in there quarteres for the ſtaff, dry quarterꝰ or allowed horſes or any other reaſone wpon quhatſumevir pretence Except onlie quhen they are cōmandit vpon dewtie within the ſchyre whaire, they are quartered with certeficaone the officer delinquent ſhalbe caſcheired And the ſouldier delinquent ſhall pay the double to the pairtie from quhom the money is exacted And Incaice any ſouldior ſhalbe complained wpon to any officer Cōmanding him in that pariſhe whaire the wrang is done And the officer refuſe or delay to caus him give ſatiſfactione That then the officer be caſcheired be the Cōmittie of eſtaitꝰ or Counſall of war And the ſamyne to continew allennarlie dureing the extraordinarie burdingꝰ of the Countrie and quhill the parliament or Cōmittie of eſtaitꝰ declaire þr farder pleaſoure þranent

. . . . . .

ACT In favorꝰ of the parochineris of Cardroſe 42

. . . . . .

ACT Anent the traine of Arteiliarie and in favorꝰ of the gñall þroff and Anent the furneiſching of ſpaidꝰ and ſchoollis for the armie 43

. . . . . .

ACT in favorꝰ of Thomas Cunynghame as Cōmiſſioner for Mr Lampſones 44

. . . . . .

TWO Commiſſiones anent the L / hoptoun ꝛt kathrein walkeris houſſ in edr 45

. . . . . .

RECOMMENDAoNE In favorꝰ of the parochines of morwingſyde ſlamanno and falkirk 46

. . . . . .

ACT In favorꝰ of the bonnett makeris of Dundie 47

. . . . . .

WARRAND to Breiſtmylne for carieing of victuall 48

. . . . . .

ACT in favorꝰ of Jon Gullane 49

. . . . . .

50 ACT George bruce ꝯra L / Balmuto

. . . . . .

51 ACT In favoꝛꝭ of Valantyne Naper

. . . . . .

52 ACT In favoꝛꝭ of the parochinerꝭ of blaklunanes

. . . . . .

53 ACT In favoꝛꝭ of James Reid

. . . . . .

54 COMMISSIONE to Joⁿ ſhort proveſt of ſtirling

. . . . . .

XXII MARTII.

[MINUTES]

22 Martij 1651 9ª dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

PETITIONE of certane Engliſh officiarꝭ Redd in parliament, whairwpoun his Mãtie and Eſtaittꝭ of parliament Grantꝭ comiſſione to the E / Linlithgow, the geˡˡ qʳtermaiſter the L / Angus, L / Lochtour, patrik roſſ or any three of thame wᵗ Coˡˡ boyntoun ꝛ Sʳ wᵐ blackſtoun or any on of the Engliſh To meitt at the kirk of roſſey on monday nixt at tuo efternun, and ꝑʳ to tak tryell of the ꝑticularꝭ conteanit in the ſupplicaᵒne, and To ſecure the perſones of ſuche as they ſhall find gyltie, and to caus tranſport thame to the toun of perth, and to give ꝑʳ advyſſ ꝛ opinione to the pliament what cenſure ſhall be inflicted wpoun thame, and Report ꝑʳ proceedingis wᵗ all diligence

MR JAMES Hamiltoune miniſter wᵗ certane otherꝭ of the commiſſionerꝭ of the geˡˡ aſſemblie gave in in pliament certaine papers qʳof on bearing ane warneing to all miniſterꝭ and profeſſorꝭ of the kingdom, ane vther the cauſſ of a ſolemne faſt, the threid conteaning the draught of ane oath and the 4 conteaning a returne to the queere givin in to the commiſſionerꝭ of the kirk from the parliament, The L / preſident at Comand of the Kingis Mãtie ꝛ parliament did returne thame hairtie thankꝭ for ꝑʳ cair ꝛ vigilancie, and declared they would tak the oath and anſʳ to the queeree to be conſiddered be the ſeverall bodyes

SUPPLICAᵒNE Lord Lorne concerneing the foot guaird Remitted to the Comittee off militarie effairꝭ

THE Kingis Mãtie and eſtaittꝭ of parliament Ordanes the haill regiment qʳtermaiſterꝭ to go to ſtirling and to tak tryell what ſhyres haue layed in thair meall appoynted to be layed in to the ſeverall regimentꝭ and if any ſhyres haue layed in thair meall in haill diſcharges all officiarꝭ to truble any of theis ſhyres for cariadge ꝑʳoff and ſiklyke diſcharges all officiarꝭ to truble any ꝑticular perſones for ꝑe cariadge who haue laid in any ꝑt of ꝑʳ meall a ꝑt pro tanto as they will be anſuerable to the ꝯrar wpoun ꝑʳ vtmoſt perrell

THE Kingis Mãtie and parliament names the Erle of Caſſillꝭ, L / burghley, Jonſtoun barkley, Skirling, Sʳ Johne ſmyth and andro grant as ane Comittee of parliament to tak the paper anent the coyne in conſideraᵒne wᵗ pooer to thame to call the L / cochrane to be pñtt wᵗ thame

. . . . . .

COMMISSIONE grantit to the Erle of Linlithgow and vtheris thairin contenit anent the wrang done to certane Ingliſch gentilmen 55

. . . . . .

ORDOUR for the wholl regiment quarter maiſteris to repaire to ſtirling To tak tryall of the victuall laid in ꝑʳ for the ſeverall Regimentis 56

. . . . . .

XXIV MARTII.

[MINUTES]

Vigeſimo quarto Martij 1651 10ª dies parl.

DOMINO REGE PRESENTE

Prayeris heard and rollꝭ callit

SUMMONDIS at the inſtance of his Mãties advocatt aganes Coˡˡ ſtrauchane, Dundas yoʳ Maior abernethie ꝛ remanent deʳꝭ ꝑʳin ꝯteanit callit thryſe publictlie be ane maiſſʳ at the vtter doir of the pliament hous, non of ꝑe deʳꝭ compit

ORDANES a comittee to be appoynted be the ſeverall bodyes of tuo of evrie eſtaitt to conſidder of the meanes of probaᵒne to be vſed for ꝓveing the ſummondꝭ, and for ꝑʳ effect to confer wᵗ the L / advocatt and conſidder what haue bein the deʳꝭ caradge in relaᵒne to the preſent tymes ꝛ trubles of the cuntrie, and ordanes thame to tak the overtures to conſideraᵒne wᶜʰᵉ wer givin in be the barrones

A PAPER Givin in be the L / M / of Argyll ſhewing that he haveing the honoʳ to be his Mãties Mʳ houſhold, as Lykwayes to be one of the commiſſionerꝭ of his Mãties theſurarie hes often repreſented to this hoˡˡ hous the caice and condition of the effairꝭ of his Mãties hous throw the want of money and

often desyred sum meanes of further provisione might be appoynted, whairin nothing being effectuat and least so great a defect should be Imputed to him haveing the charge forsaid He did humblie agane intreat for his exonera°ne that the caice and conditione of his Mãties hous may be takin in considera°ne and further meanes of provisione appoynted, and that his desyre and diligence might be recorded in the recordꝭ of pliament Efter Reiding whairoff the L / chancelar E / of Cassillꝭ as a commissioner for the thesurarie and thesaurar deputt did lykwayes for þr exonera°ne adhere to the sd paper and desyre þrin ꝯteanit qrwpoun Ordanes the Comittee for þe effairꝭ of his Mãties hous to meitt Imediatlie efter the parliament

LETTER from Liveten. gell Middletoun to the Kingis Mãtie Redd in pliament, wanting daitt, wt a list ꝯtenit þrin

LETTER from the Gentilmen of Rossꝫ from chanrie of the 12 of march 1651 Redd in pliament

SUPPLICA°NE ꝛ report from the Comittee of billꝭ concerneing George campbell and James ker Redd ꝛ remitted to the severall bodyes

ORDANES a letter to be wreattin to gell Livetennent Middletoun anent the coming wp of the forces from the north ꝛ yles and the wayes of þr interteanment and of bringing thair provisione with thame

THE oath givin in be the Comissionerꝭ of the gell assemblie Redd in pliament voyced and approvin

THE queere givin in be the king and parliament to the Cõmissionerꝭ of the gell assemblie, wt the returne from the gell assemblie to the same Redd

SUPPLICA°NE Lord Lorne ꝛ officiarꝭ of the foott guaird and Report Redd ꝛ remitted to the severall bodyes

REMITTED to the Comittee of militarie effairꝭ to considder of sum mark of respect to be putt wpoun gell Maior Massie, and how his regiment may be strenthned and recrewted

SUPPLICA°NE ꝛ report Cap. Andro blair Redd and approvin

THE Queere eftꝰ spẽit viȝ whither or not thair shall be ane select comittee for manadging the effairꝭ of þe armie distinct ꝛ independent from the Comittee of estaittꝭ, and that the extent of þr power, and the difference of þr power from the Comittee of estaittꝭ, and councell of war of the armie may be condiscendit wpoun, and whither or not persones excludit be former actꝭ from being wpoun the Comittee of estaittis may be wpon this Comittee and whither any of the Comittee of estaittꝭ shall lykwayes be of that comittee yea or no, Remitted to the severall bodyes

ORDANES all thoiß who haue any of the muster rollꝭ to give in the same to the gell qrtermaster

THE Kingis Mãtie and estaittꝭ of Parliament for ansr to the L / gellꝭ bill hes Ordaned and Ordanes the L / Gell to ꝯtinew still in his charge as gell of þe army and to await on his Mãtie and the army only qn he is able ꝛ in hailth, and in respect of his inhabilitie that he shall not be comptable for any omissiones of the armie

SUPPLICA°NE parꝭ of Kirkpatrik and Leinȝie ꝛ report [red] and approvin

SUPPLICA°NE Jon campbell of edinample Remitted to the Comittee of billꝭ ꝛ ordanes thame to report

ORDANES the severall bodyes to meitt the morrow at eight houres the comitteeis at ten and the parliament at tuo efternun

. . . . . .

REPRESENTA°NE from the L / M / of argyll Mr houshold to his Mãtie for himself and in name of the remanent cõmissioneris for the thesaurarie anent the Conditione of his Mãties hous To the which Representa°ne the remanent Comissionerꝭ of the thesurarie the lordꝭ chancellor and thesaurer deputt adheared 57

. . . . . .

THE oath gevin in be the Cõmissioneris of the gñall assemblie 58

. . . . . .

ACT In favorꝭ of Andro blair 59

. . . . . .

ACT continewing Alexr Erle of Levin Lord generall his Excellencie to be gell of the Armie

AT PERTH the twentie fourt day of March 1651 ȝeirs Our soveran Lord ꝛ estates of parliat now pñtly ꝯveined ꝛc Taking to þr ꝯsidera°n ane supplica°n gevin in to þm be Alexr Erle of Levin Schewing That the supplicant ꝯceaveing it to be his greatest happines to be serviceable to the Kings Mãtie ꝛ the kingdome in the preserva°n of the caus of god, Hes þrvpone (wt much waiknes bot wt exact fidelity ꝛ affectione) contribute his vtmost endevours ꝛ paines in þr service þir twelf ȝeirs bygone, And wold have most willingly ꝯtinewed þrin, Bot 60

þt it hes pleaſed god to viſeit him wt ſuch waiknes (the inſeparable companion of old aige) That he is not aible to performe þt ſervice þt ather the importance of the publict affairs or his duetie & affection to his Mãties ſervice doeth requyre of him, And þfore þt þr be no preiudice by him He does wt all humility Surrander & dimitt to the Kingis Mãtie & eſtates of parliat his office & charge of being gñall of the forces of the kingdome To be diſpoiſed As the Kings Mãtie ſhall think fitt, And if it ſhall pleas god to grant him health & ſtrenth He ſhall be moſt willing To attend his Mãtie & ꝓtribute wt his beſt advyſe As at mair lenth is ꝓtenit in the ſd ſupplicaon Qlk being takin in ꝓſideraon be the ſdc eſtates of parliat, And his Mãtie & eſtates of parliat calling to mynd the many good & faithfull ſervices done to his Mãtie & the kingdome be the ſd Erle of Levin in his former employments as gñall of the forces of the kingdome both wtin & wtout the cuntrie in proſequoting the enemeis of þis kingdome And haveing ſo reall prooff of his abiliteis & faithfulnes in diſcharge of the truſt comitted to him, Have þfore Ordaned & ordanes the ſd Alexr Erle of Levin to ꝓtinew in his former charge as gñall of the forces of þis kingdome, And conſiddering þt in reſpect of his aige & indiſpoſon of his body he is not aible to geive conſtant attendance vpone the airmy THAIRFORE his Maieſtie & eſtates foreſdc diſpences þwt He always attending his Mãtie & the airmy as his haiſth may permitt him, And declairs þt in reſpect of his indiſpoſon foreſd he ſhall noways be comptable for any omiſſion if any ſhall be in the airmy, bot ſhall be only redy to geive his beſt advyſe in every thing concerneing the ſam

. . . . . .

ACT In favorc of the parochineris of Kirkpatrick and Lengie

. . . . . .

XXV MARTII.

[MINUTES]

Vigeſimo quinto Martij 1651 11a dies parliam.

DOMINO REGE PRESENTE

Prayerc heard and rollc callit

SUPPLICAONE E. Eglintoun Redd and remitted to the comittee of militarie effaires

SUPPLICAONE Officiarc of his Mãties foot guaird Redd Remitted to the Comittee of the militarie effaires ſua far as concernes the firſt pt, wt pooer to thame to call the ger comiſſr and ſpeik wt him, ſo that the ſowme of 7000 mkc may be maid effectuall to thame, And Ordanes the companies of þe ſd regiment to be recrewted according to the act of the comittee of eſtaittc of the 10 of Januar laſt

ACT anent ane monthes mentenance to be payed be the ſhyres benorth forth for the vß of the armie Red voyced and paſt and ordaned to ſtand of the former daitt qlk is the 14 of mch

REPORT from the Comittee for raiſing of money Redd & remitted to the ſeverall bodyes

SUPPLICAONE Officiarc of the garieſone of ſtirling Redd & remitted to the comittee of militarie effaires

[TO the Kings moſt Exellent Matie The heigh And hoñble Court of parlt The ſupplication of the officerc of the garifon of Strivling.

Sheweth

THAT we have beene in garriſone theſe ſeven monethes paſt And haue received only four monethis pay at 20 ſhill. ſcotc per diem to a Capt. etc: wch although it had been dewly payed could hardly affoorde neceſſary Intertainment for The diſcharg of our dyet wheras the reſt of the fforces have had their Conſtant pay out of their Quarters, Lykwayes the hard Intertainment of the ſouldierc is not to be forgotten, To ſay nothing of their ſcarſity of foode, ſomtimes laiking 3 dayes of their weikes allowance bot being almoſt deſtitute of Cloathing, And although ſome of them have been formerly hardly bred, and could indure hardſhips als weill as others, yet dying vpon dewty, not having ſo much as to defend them from the extreamity of the cold yea hardly to Couer their Naikedneſſ, Wee are not vnſenſible of the great ſtraite the kingdome is in, And the vnabillaty Therof to beare the great burthingc vpon it Nap ar we deſiyring great things nor ſuperfluities, bot neceſſary Intertainment, ſuch as [we] may be Inabled to diſcharge our dewtyes, wherfore wee humbly preſent the premiſſes to yor fearious Conſiderationes And diſiyrc that ſom effectuall Courſe may be found for payment of the thre months pay dew for diſcharging our q'terc And lykwayes ſom ſettled way of Intertainment for the preſent & futtur And yor Maties And the Paritc Anſwer

25 March 1651.

Red & remitted to the comitty of military affairs]

. . . . . .

SUPPLICAONE Wm ſympſone bailyie of dyſert wt the report þwpon Redd and approvin

DRAUGHT of ane act anent the crying wp of þe money wt ane liſt givin in þwt Redd & remitted to the ſeverall bodyes

SUPPLICAONE L. philorth Remitted to the comittee of billc

SUPPLICAONE pa'ꝭ of Kirkmichell ꝛ Inuerewin Redd ꝛ paſt

ACT of Reſtitutione of Lewis gordoun aganes the deit ꝛ ſentence of forfaultrie Ledd and deducit aganes the laitt M / of Huntlie ꝛ reponeing the ſaid Lues to the hono' dignitie ꝛ eſtaitt of M / of huntlie Redd in parliament, voyced and paſt

HIS Mãtie and Eſtaittꝭ of pliament, declarꝭ That no reſtitutione aganes a ſentence of foirfaulto' ſhall tak aff any vther incapacitie or ty lying wpoun the pſone reſtored except the vther incapacities ꝛ tyes be expreſlie takin aff and diſcharged by the reſtitutione and ordanes ane act to be extendit

THE queere ſett doun wpoun the 24 of marche remitted again to be conſiddered by the ſeverall bodyes, whairwpoun they w'drew for a little tyme

SUPPLICAONE Ge'' cõmiſſ'' Remitted to the comittee for þe militarie effaires

IT being putt to the queſtione whither or not Thair ſhall be a comittee for manadging the effaires of the armie comptable only to the King and parliament, and in wche ſuche perſones may be memberꝭ who wer formerlie ſecludit by actꝭ of parliament being qualifeid as is expreſt in the returne of þe comiſſionarꝭ of the kirk, It wes voyced affirmative

ORDANES the ſeverall bodyes to meitt at eight hourꝭ the morrow the committies at ten and the parliament at tuo eſternum

THE noblemen nominat V / newburgh L / balcarras, the barrones nominat clerkingtoun ꝛ toſtis the burrowis nominat James glen and w'' waker w' þe L / advocatt to be a comittee for conſiddering of the meanes of proba°ne of the ſum'ꝭ of treaſon aganes ſtrauchane dundas ꝛ c

. . . . . .

62 ACT Ordaineing the companies of the Regiment of his Mãties foot guaird to be recreuted

. . . . . .

63 ACT In favo'ꝭ of W'' ſymſone baillie of dyſert

. . . . . .

64 ACT In favo'ꝭ of the parochinarꝭ of Kirkmichaell and Inuerewin

. . . . . .

ACT of reſtitutione of Lues gordoune Aganis the decreit and ſentence of forfaulto' led and deduced aganis the late Marqueis of huntlie and reponeing him to the honnor dignitie ꝛ eſtate of Marqueis of Huntlie

. . . . . .

ACT and declara°ne be his Mãtie and parliament Anent the reſtitutione of any who ſhalbe reſtored aganis the ſentence of forfaulto'

. . . . . .

XXVI MARTII.

[MINUTES]

26 Martij 1651 12ª dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and Rollꝭ callit

ACT Ordaneing all cita°nes and vther execu°n aganes pteis furth of þe cuntrie to be at the mercat croce of perth and peir and ſhoir of bruntyland Redd and paſt

SUPPLICAONE L / Cambo Redd and remitted to the ſeverall bodyes

SUPPLICAONE George campbell and James Ker w' the opinion of the Comittee of billis þ'wpoun Redd ꝛ paſt and the L / advocatt ordaned to draw ane act þ'wpoun, and the Lyk for Alex' Innes ꝯforme to his ſupplica°ne

SUPPLICAONE herito'ꝭ and tennentꝭ of Engie ꝛ ſtrathbogy cabrach and gartlie Red and paſt

REPORT concerning the wrong alledgit done to the Engliſh officiares Redd and Remitted bak to the ſame committee w' the tuo Engliſh gentilmen or any of thame that exact tryell may be takin and the offendarꝭ ſeverlie puniſhed to the terro' of vtherꝭ for wche his Mãtie and parliament grantꝭ thame full commiſſion and pooer

IT being putt to the queſtione whither the pooer to be ꝯteanit in the tuo comiſſiones vĩz the comiſſione to the comittee of eſtaittꝭ and the comiſſion to þe comittee for manadging the effairꝭ of the army ſhould be determeined by a comittee ſelect of the ſeverall bodyes, or preſentlie be the haill hous It wes voyced to be determined preſentlie by the hous

ACT in favo'ꝭ of þe parochinarꝭ of pert ſtragothro ꝛ c paſt

HIS Mãtie and eſtaittꝭ of ꝑliament appoyntꝭ a conference to be of four of evrie body for vnitie vnanimitie and accomoda°une the ꝑſones to be named be the ſeverall bodyes

REPORT from the Comittee for the militarie effairꝭ anent proviſione to the army Redd ꝛ remitted to the ſeverall bodies

SUPPLICA°NE Comittee of war of ſtirling Redd ꝛ remitted to the Comittee for þe militarie effairꝭ w^t pooer to thame to determeyne

ORDANES the haill Comitteeis to meitt the morrow at eight hourꝭ the ſeverall bodyes at ten and the parliament at tuo efternun

COMMISSIONE anent M^r dauid Campbell ꝯ^r Inchmartein

. . . . . .

67 ACT Ordaineing all cita°nes and other execu°nes aganis pairties who ar out of the countrie (which cita°nes wer of befoire vſed at the mercat croce of Ed^r peir and ſchoire of leith) To be now at the mercat croce of perth and peir and ſchore of bruntiland

. . . . . .

68 ACT anent the eſtaittis and meanis in this kingdome belanging to thoſe who adheare to the rebellione in Ingland

. . . . . .

69 ACT in favo^rꝭ of the tenantꝭ of Einȝie Strabogie Cabraich and gartlay

. . . . . .

70 COMMISSIOUNE Mr David Campbell ꝯ^ra Inſchmertine balthyok and vtheris

. . . . . .

71 ACT in favo^rꝭ of the herito^rꝭ of pert ſtragothro ꝛc^a

. . . . . .

XXVII MARTII.

[MINUTES]

27 Martij 1651 13^a dies parliam.

Prayerꝭ heard and rollꝭ callit

LETTER from the Comittee of the ſhyre of Kincardyne to the Comittee of eſtaittis of the 21 of marche Redd and ordanes ane anſ^r to be drawin and ſent to the ſhyre

ORDANES the conference to meitt p̃ntlie and the morrow at eight houres and the parliament at nyne

XXVIII MARTII.

[MINUTES]

28 Martij 1651 14^a dies parliam.

Prayerꝭ heard and rollꝭ callit

ORDANES the nixt meitting of parliament to be at on efternun to w^che tyme adiurnes the parliament

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

S^R Ro^t Murrey kny^t being callit, did accept the place and Charge of Juſtice Clerk and maid faith de fidelj adminiſtra°ne in þe diſcharge þ^roff

LETTER from the magiſtrattꝭ of aberdein with ane patent from the D / of Ȝeork to Cap. w^m king Redd in parliament

ORDANES the L / advocatt to awaitt wpoun the Comiſſioneris of the theſurarie to diſtinguiſh what of the pryſes belonges to his Mãtie and what to the admirall

LETTER from S^r Ro^t drumond to the Liveten. ge^ll 27 marche Redd

SUPPLICA°NE Relict of Cap. M^cnab, Redd ꝛ paſt

REMITTIS to the ſeverall bodyes to conſidder of ſum further preſent ſupplie of interteanment to be appoynted to the armie by and attour the 40 dayes proviſione

SUPPLICA°NE Ge^ll major Ro^t Mongomrie for recrewting of his regiment Redd and paſt

SUPPLICA°NE L / Glenwrquhy anent exeming him in the preſent levie from the outputting of horſſ Redd and paſt

SUPPLICA°NE Erle Athoill Redd and the mater recommendit to the M / Argyll L / Balcarras L / Juſtice clerk and the L / of freeland to meitt and ſattill the ꝑteis, and in the mean tyme Ordanes the ꝑtie to remove

SUPPLICA°NE Andro dick anent the tranſporting of ſum victuall Redd and paſt

REPORT from the conference anent the pooer of the Commiſſione for manageing the effaires of the armie ꝛ c^e with ane other paper givin in be the L / chancelar Redd and being putt to the queſtione whither the other paper givin in w^t the report ſhould haue the voyce of the hous or no, It wes voyced negative

THAREFTER the ſaid Report conteaning the pooer of the Comittee for manadging the effairꝭ of the army Red voyced and paſt in parliament and appoyntꝭ the number to be tuentie four of evrie eſtaitt the quorum ellevin q^r of tuo of evrie eſtaitt

ORDANES a draught of the Comiſſione to the Comittee of Eſtaittꝭ to be drawin agane the morrow, and four of evrie eſtaitt to be added þ^r to

HIS Mãtie w^t ꝓſent of the eſtaittꝭ of ꝑliament did nominat and appoynt the perſones efter ſpẽit to be Colonellꝭ in the ſeverall ſhyres following vĩʒ for the ſhireſdome of Ed^r the E / dalhouſſie or L / Ramſay ffor eaſt Lothian and Lawderdaill, The E / of Lawderdaill, ffor Linlithgow and tueddaill L / Yeſter ffor Cliddiſdaill Duik hamilton ꝛ M / of douglas Air Renfrew and the E / caſſillꝭ diviſione of galloway Remitted to the Kingis Mãtie to be determined, Wigtoun and ſtuartrie of kirkcudbright E / of Gallowey and V / of Kenmure, Nithiſdaill E / of Queenſberrie or kelheid his brother, E / hartfell or L / Jo^nſtoun, Roxburgh ꝛ ſelkirk w^t the fyve kirkꝭ of Eſdaill Co^ll Ro^t douglas, Berwik E / of hoome

L / TOFTIS Proteſted aganes the Joyneing of Lawderdaill w^t Eaſt Lothiane, ꝛ þ^r wpoun aſkit inſtrumentꝭ

THE L / muſwald ꝑteſted aganes the Joyneing of the fyve kirkꝭ of eſdaill to Roxburgh and þ^r wpoun aſkit inſtrumentꝭ

TUO queereis givin in be the L / advocatt anent thoiſ^ꝫ who gois in to the enemy Remitted to the ſeverall bodyes

REMITTIS to the ſeverall bodyes to think wpoun a way of finding money for his Mãties vſ^ꝫ and þe armie

ORDANES ane letter to be wreattin to the north in anſ^r to thair letter anent the 8 monthis mentenance ꝛ the act of parliament to be ſent w^t it

SUPPLICA^ONE L / Preſton anent his evidentꝭ Red ꝛ remitted ꝛ recomendit to the Comittee of eſtaittꝭ vt in ſcriptis

SUPPLICA^ONE Toune of culroſſ^ꝫ Redd ꝛ paſt

SUPPLICA^ONE Toune of Kirkcaldie Redd ꝛ ordanes the ſowme to be allowed in þ^r mentenance but preiudice of the aſſignment maid to the ge^ll of arteliarie

HIS Mãtie and eſtaittꝭ Ordanes the ſowme of 3000 lib wche are reſtand belonging to Co^ll ſtrauchan to be wplifted be Jo^n ſcott m^r wright

ORDANES the bodyes to meitt preſentlie and the parliament to meitt the morrow at eight hourꝭ

. . . . . .

ACT quhair Sr Robert murray formerlie noĩat be his Mãtie and the parliament to be Juſtice Clerk Compeiris in parliament And being requyred to accept of the ſaid place and to give his oathe for faithfull diſchairge þ^r off, did accept of the ſaid chairge and maid faith de fideli adminiſtra^one in the diſchairge þ^r off 72

. . . . . .

ACT In favo^rꝭ of the relict of Captane M^cnab. 73

. . . . . .

ACT Anent the recrewteing of the Regiment belanging to Gñall Major Robert Montgomrie 74

. . . . . .

ACT exeeming the laird of glenvrquhy from outreik of hors in this pñt leavie 75

. . . . . .

COMMISSIOUN to the Committie appoynted for manadgeing the effairis of the armie.

AT PERTH the Twentie eight day of merch J^(m) vj^c ffyſtie ane yeeres Our Soverane Lord and eſtaites of parliament now pñtlie conveened in this ſevinth ſeſſioune of this ſecond trienniall parliament being verie ſenſible of the dangerous and diſtrest conditioune of this kingdome And being most deſireous according to the law of god and nature in diſchairge of þ^r publick trust To vſe all law^ll and neceſſarie meanes for the ſafety and defence of Religion his Mãties perſone and royall authoritie lawis and liberties of this kingdome againes ane Army of Sectaries who most vniustlie and perfideouſlie contrair to the ſolemn league and covenant have invaded þis kingdome and by all actis of hoſtilitie deſtroying the ſame And Conſiddering there are alreadie raiſed and to be raiſed ane conſiderable number of forces for the releeſe and ſafety of the kingdome And how neceſſar it is there be ane Cõmittee nominat and appoynted of able and qualified perſones for right ordoring and manageing the effaires of the Army in the particularꝭ vnderwr̃in Comptable only to the Kingis Mãtie and eſtaites of parliament Doe therefore Nominat and appoynt [Williame Duik of Hamiltoun M. Douglas, M. Argyll E: Craufoord E: Erroll E: Marſchell, E: Rothes, E: Eglintoun E: Glencairne, E: Caſſillis E: atholl, E: Linlithgow E:

Home, E: Dumfermling, E: Roxbur^{t}, Erle Kellie Erle Buccleughe E: Galloway E: Lauderdaill, E: Louthiane, E: Dalhouſſie, Vicount of Newbur^{t} Lord^{is} Spynie balcarras and Cochrane ffor þe noblemen, Lo^{s} Humbie Ld Nidrie, Keath, Collingtoun, Toftis, Lambertoun Lugtoun Stobbis, Hardin, Littill preſtoun, Whitſleid, Kelheid, Bogie, Thornetoun, Creiche, Lundie, Lie, Lus, Craigdarroche, Ardroſs, Ormeſtoun, Skirling, Caveris, Durie, and ffairnie ffor the Barones Sr Johne ſmyth, Archibald ſydſerff, Johne mylne, David wilkie, Johne ſcott, patrick thomſone, Mr Johne Cowane duncane nairne, Robert bell, James ſword, James bell elder, Colein Campbell, Hew Kennedie, Johne ruther-ſoord, david ſymſone, alexander cunynghame, Johne auchterlony Piter walker, Johne Lindſay Andro glen Johne burnſyd Johne boſuall, Sr Alexander wedderburne Andro carſtaires, and Alex^{r} bower for the burrowes] To whome or ony ellevin of thame whereof two of everie eſtaite as a quorum The Kingis Mãtie and eſtaites of parliament Doe heerby grant power warrand and Cõmiſſioune To meit and conveene at ſuch tymes and places as they ſall think fitt And with power to thame To provyde victuall armes and ãmonitioune and all militarie materiall^{is} and to give ordo^{is} for carieing the ſame without laying taxa^{o}unes on the countrey The pryces and tranſportatioune whereof and what ſhall be expended vpone intelligence The Cõmittee of moneyis and accomptis ſhall caus ſatiſfie and pey out of þe readiest of the publict dewis of the kingdome vpone the trew accompt þ^{r}of and warrand frome the ſaid Cõmittee for peyment of the ſame without prejudice of former affignmentis And when the publict dewis ſaill and cannot be had for peyment þ^{r}of With power to thame to borrow money for the vſe aforſaid frome ſuch perſones as ſall voluntarlie lend the ſamyne and to give the pairteis ather the publict ſecuritie or þ^{r} owne privat ſecuritie for the ſame which being ſo imployed Is declared to be a publict debt of the kingdome with power to thame to call to accompt all ſuch who have chairge of ãmonitioune victuall and vther proviſiounes That they may know in what conditioune they are in And to diſpoſe þ^{r}of for the vſe of the Army And with power to thame to vſe all laufull and ordinary meanes for the ſpeedie raiſeing and drawing togither of the leavies and forces of the horſes and foote impoſed or to be impoſed by the king and parliament And with advyſe and conſent of the generall officeris to give ordo^{is} for there march And to appoynt rendevouze And with power to the ſaid Cõmittee to apprehend and try all ſuch perſones as ſall be fund to keep correſpondence with or give intelligence to the enemy Reſervand to the pertie all his laufull defences to be proponed be him befoir the parliament or Committee of eſtaites wch perſones being apprehended and tryed as ſ^{d} is are to be ſent to the Cõmittee of eſtaites to be further tryed if neid be and Judged by them according as they ſhall be fund guilty or innocent And with power to the ſaid Cõmittee to call to accompt for the leavies All ſuch officers as have levied horſe or foote or who had ordo^{is} for raiſeing þ^{r}of ſince the first day of September 1650 yeires To puniſh conforme to former actis of parliament or Cõmittee of eſtaites not injoyneing capitall puniſhment to ſuch as have taken or ſhall tak moneyis for horſes men armes or ony vther proviſiounes relateing to the leavies and forces And have not affoorded horſes men armes nether have given nor can give ſatisfactorie accompt how they have imployed the ſaid^{is} proviſiounes And that the ſynes to be impoſed or ſoumes of money to be exacted frome the perſones that ſhall be fund culpable as aforſaid be delyvered to the generall Cõmiſſare for the vſe of þe publict Reſerving heirfra any former aſſignmentis to the ſaidis deficiencie or ſynes And o^{r} Soverane Lord and eſtaites of parliament Declaire that this pñt Cõmiſſione nor no power nor claus þ^{r}incontenit ſhall be comprehendit nor extend to the power of the Cõmand or conduct of the Army except for giveing þ^{r} advyce theranent when the generall officeris and counſall of warr ſhall deſire the ſame.

. . . . . .

ACT q^{r}in his Mãtie with conſent of parliament nominat^{is} certane perſones to be Collonell^{is} in the ſeverall ſchyres befouth forth 77

. . . . . .

PROTESTA^{O}NE be þe lord toftis Aganis the Joyning of Lauderdaill with the ſchyre of Hadingtoun

. . . . . .

PROTESTA^{O}NE Laird mouſuall aganis the Joyning of the fyve churches of Eſdaill to the ſchyre of Roxburgh

. . . . . .

REMITT Supplica^{o}ne Ld Preſtoune Anent the burneing of his hous and evident^{is} to the Cõmittee of eſtaittis 78

. . . . . .

ACT In favo^{r} of the toun of Culros 79

. . . . . .

ACT In favo^{r} of the toun of Kirkcaldie 80

. . . . . .

ACT Ordaineing the ſowme of 3000 lib auchtand to Collonell ſtrauchane To be vplifted be Johne ſcott m^{r} wricht 81

. . . . . .

REMITT concerneing the E^{d} of Athoill 82

. . . . . .

XXIX MARTII.

[MINUTES]

29 Martij 1651 15ª dies parliam.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

THE Kingis Mãtie and parliament ordanes ane letter to be wreattin to the Comiſſionerſ of the geⁿ aſſemblie, that all actſ of þe kirk wᶜʰᵉ ar the groundſ of the actſ of incapacitie may be removed als far as lawˡⁱᵉ may be to the effect that the ſᵗᵉ actſ of incapacitie may be takin aff all perſones als far as can be for further vnion, the L. chancelar, L. balcarras to draw the letter

ORDANES all viverſ for the vß of the Kingis hous to be free of excyſſ

HIS Mãtie and eſtaittſ of parliament Ordanes the haill ſhyres who puttſ furth the preſent Levie to advance for þ foott vther tuentie dayes proviſiones by and attour the 40 dayes alreadie appoynted, and ordanes the ſame to be layed in to the geⁿ comiſſʳ in victuall at ſtirling and ane act to be drawin heirwpoun

ACT and Comiſſione to the Cõmittee for the armie Red voyced and paſt in pliament

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

LIST of the perſones nominat and appoynted be his Mãtie and the parliament to be wpoun the Comittee for Regulating the effairſ of the armie D. Hamiltoun M. Douglas, M. Argyll E. Craufoord E. Erroll E. Mariſhall, E. Rothes E. Eglintoun Glencarne E. Caſſills Athoill, Linlithgow Hoome Dumfermlein Roxburgh Kellie Buccleuch Galloway Lawderdaill Lothiane Dalhouſſie V. Newburgh, L. ſpynie Balcarras Cochrane for the noblemen, The lairdſ of Humby Toftis Nidderie Durie Colingtoun Keath Lambertoun Lugtoun ſtobbis, Hardin Littlepreſton Witſlaitt Kelheid Bogy Thornitoun Creigh Lundie Maitland, Lea, Luſſ Craigdarroch Ardroſſ Ormeiſtoun ſkirling Caverſſ fairnie ffor the Barrones, Sʳ Johne ſmyth Archibald ſydſerff Johne mylne Dauid wilkie Johne ſcott Patrik thomſon, Mʳ Johne Cowane Duncan Nairne Roᵗ bell, James ſword James bell eldar, Colein campbell, Hew Kennedy Johne Rutherfoord Dauid ſympſone Alexʳ cunyngham Johne Auchterlony Peter Walker Johne Lindeſay Andro Glen Johne burneſyd Johne boſuell Sʳ alexʳ wedderburne Andro Carſtaires Alexʳ bowar ffor the burrowis

HIS Mãtie and Eſtaittſ of parliament appoyntſ Sʳ Roᵗ murray Juſtice clerk his oath de fideli adminiſtraᶜᵒne as on of his Mãties privie councell to be takin whairwpon the ſᵗ Sʳ Roᵗ being pñt maid faith de fideli adminiſtraᶜᵒne þin

RATIFICAᶜᵒNE of ane act of the Comittee of eſtaittſ in favoᵘʳſ of Sʳ Arᵈ prymrois paſt and thairefter Sʳ Arᵈ gave his oath de fideli adminiſtraᶜᵒne as clerk to the privie councell and his gift þof ratified

SUPPLICAᶜᵒNE Toun of Dunfermling Redᵈ paſt

SUPPLICAᶜᵒNE Tounes of Sᵗ andrewis Carraill Anſtruther Redd ᵈ paſt prout in ſcriptis

CITAᶜᵒNE Granted to Wᵐ bell aganes Walter cowane paſt

SUPPLICAᶜᵒNE Toune of kinghorne paſt prout in ſcriptis

SUPPLICAᶜᵒNE Joⁿ campbell of edinample Redd ᵈ paſt

ORDANES the nixt meitting of parliament to be on monday at nyne hourſ befornun

.....

ACT Ordaineing all viveris for the wſe of the Kingis hous to be frie of excyſe 83

.....

ACT Ordaineing the wholl ſchyres who puttis furth their men to this preſent leavie to advance for thair foote armie Twentie dayes proviſione by and attoʳ the fourtie dayes alreadie ordained

AT PERTH the Tuentie nynt day of march Jᵐ vjᶜ and ffiftie ane yeiris Our Soverane Lord and Eſtaittis of parliament now pñtlie conveened in this ſevinth ſeſſioun of this ſecund Trineniall parliament Hes Ordained And Ordanis for the bettir proviſione of the armie That the wholl ſchyres (who by the act of leavie of the Tuentie thrid day of december laſt are appoynted to advance to the forces ordained to be put out be them fourtie dayes proviſione) Sall advance inſtantlie to the forces of foott allenmarlie put furth and to be put furth be them in the ſaid leavie, Vther Tuentie dayes proviſione by and attoʳ the 84

fourtie dayes proviſione advanced or appoynted to be advanced be the ſaid act of leavie which Tuentie dayes proviſione now to be advanced His Matie and Eſtaittis forſaidᵉ Ordaines to be laid in and delyvered to the gñall Cōmiſſʳ or any haveing his power or warrand att ſtirling And that wnder the paine and with the certificaᶜne contenit in the ſaid former act of leavie

. . . . . .

85 ACT whair Sʳ Roᵗ Murray Lo / Juſtice Clerk (being noiat be his Mātie and parliament) To be one of his Māties privie Counſall did Compeir and accept the ſaid chairge and maid faith de fideli adminiſtraᶜne thairin

. . . . . .

86 RATIFICAᴼNE of ane act of the Cōmittie of eſtaittis maid in favoʳᵉ of Sir Archibald prymrois

. . . . . .

87 RATIFICAᴼNE of ane gift gewin and grantit be his Mātie To the ſaid Sʳ Archibald prymrois as Clerk to his Māties privie counſell and writter of the Cōmiſſiounes to the Juſtices of peace and bearing the ſaid Sir Arᵈ prymrois To haue accepted the ſaid chairge and maid faith de fidelj adminiſtraᶜne þʳin

. . . . . .

88 ACT In favoʳᵉ of the toun of Dumfermling

. . . . . .

89 ACT In favoʳᵉ of the tounes of Sᵗ androis, Craill and anſtruther

. . . . . .

90 ACT In favoʳᵉ of the toun of Kinghorne

. . . . . .

91 ACT In favoʳᵉ of Johne Campbell of Edinample

. . . . . .

XXXI MARTH.

[MINUTES]

Vltimo martij 1651 16ᵃ dies parliam.

DOMINO REGE PRESENTE

Prayerᵉ heard and rollᵉ callit

LETTER from Adriane and Cornelius Lampſones to the parl. of the 20 of Januarie 1651 Redd and Remitted to the Comittee of eſtaittis to tak ane effectuall courß for þʳ ſatiſfaction and wᵗ pooer to thame, to lay the ſame wpoun the cuntrie if they can find no vther meanes, wᶜʰᵉ the parliament declairᵉ to be alß ſufficient as if it had bein done be the parliament thameſelffis

IT being putt to the queſtione whither or not the money ſhould be cryed wp and heighted, It wes voyced affirmative, and that the twelff ſhillingᵉ ſcottᵉ ſhould be cryed wp to ane mark, and the reſt of the ſcottis and Engliſh money accordinglie, and the dowble angell to fyftein pound ſcottis and the reſt of the ſcottis and Engliſh gold proportionallie And ordanes the E / caffillᵉ Sʳ James murrey Sʳ Joⁿ ſmyth ⁊ George gardyne to meitt ⁊ give a table of money ⁊ gold and of the forrane money according to this proportione

REMITTED to the Comittee for the armie to tak courß for making wp of the Kingis regiment out of the firſt levies or otherwayes as may be moſt convenientlie wᵗ pooer to thame to mak it compleit

REPORT from the Comittee of the militarie effairᵉ anent the payᵗ of the garieſone of ſtirling of bygane 3 monthes Redd and paſt

ORDANES the ſeverall bodyes to Joyne on of evrie eſtait wᵗ thoiß who examined Philorth to conſidder of his depoſitione ⁊ report

LIST of his Māties ſʳvandᵉ that ar to haue horſß from the ſhyres Remitted to the comittee for militarie effairᵉ and ordanes the pryce of the haill horſß wᶜʰᵉ wer appoynted to be putt furth to be fyftein pond ſterling the peice

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerᵉ heard and rollᵉ callit

REMITTED to the Comittee for the armie to tak in conſideraᶜne the thrie monthes pey due to the garieſone of ſtirling and þʳ befoir any vther buſines and to ſett doun ſum effectuall courß for þʳ payment

IT being putt to the queſtione what puniſhment ſhalbe inflicted wpoun thoiß that haue bein or ſhall be intruſted wᵗ charge in the army and forces of this kingdome and haue deſerted or ſhall defert þʳ charge and Go in Or ſhall go in to the comon enemy and hes or ſhall haue thair frequent reſidence and reſort In Edʳ cannongaitt or any vther garie-

ſones wnder the enemyes pooer, It wes voyced, the puniſhment to be treaſone

LYKWAYES it being put to the queſtione what ſhall be the puniſhment of thoiß that haue bein or ſhall be intruſted with the keeping of the caſtellꝭ of Edr ſtirling or dumbartan wche be the lawis of the kingdom ar appoynted to be keepit for defence of the kingdome and haue rendered or ſhall render any of þe ſaidꝭ caſtellꝭ to the enemy w'out neceſſitie, voyced the puniſhment to be treaſone

ACT anent the heighting of the raitt of gold and money Red voitted and paſt in parliament and ordaned pñtlie to be Intimat at the croce of perth wche accordinglie wes done

HIS Mãtie and eſtaittis of parliament for weightie & great conſideracnes Haue Ordaned and Ordanes a full monthes mentenance to be payed be the whole ſhyres by and attour all former Impoſitiones, to be payed w'in eight dayes efter the Intimacne of the act to the ſeverall comitteeis of warr in the ſhyres to be applyed for his Mãties vß, and the certificacne to be quartering wpoun the deficientꝭ, the money to be delyvered to the receaverꝭ of his Mãties rentꝭ

ACT anent the collecting of the 108000 ℔ for defraying the expenſß of his Mãties Jurney home Red Ratifeid & renewed

REMITTIS the proceſß perſewit aganes ſtrauchan Dundas & remanent deꝭ to the Comittee of eſtaittꝭ to be decydit be thame & ordanes ane act to be drawin for þt effect giving thame full pooer

[SUMMONDIS against Colonell Archibald Strauchan, Walter Dundas younger of that Ilk and utheris

CHARLES be the grace of god King of great Brittane France and Irland defendar of the faith To our lovits

Meſſingars our ſtreffis in that pairt coũllie & ſeãllie ſpeãllie conſtitut Greating OUR WILL IS and we chairge ȝow That ȝe peremptorlie ſumond wairne and chairge Colonell Archibald Straquhane Walter Dundas younger of that ilk; Major Androw Abernethie Johne Swyntoun younger of that Ilk; Williame Dundas brothir to the Laird of Dudingſtoun, Leivtenent Wm Govane; Major Wm Jonſtoun laitlie in Collonell Arnots regiment and Johne Home ſrvitor to the ſaid Walter Dundas younger of that ilk Be oppin proclamatioun at the mercat croce of our brugh of Pearth and att the croce peir and ſchoir of our brugh of Bruntiland In maner following vi3 Sua many of thame as ſchall happen to be within this our realme the tyme of thair citatioun vpoun fourtie dayes wairning And ſua many of thame as ſchall happen to be furth thairof vpoun thrieſcoir days wairning; (which maner of citatiouns we and our comittie of eſtaits have declaired and be thir pñtis declaires To be alſe valied and ſufficient as if the ſaidꝭ defendars wer ſummond perſonallie or at thair dwelling places And be oppin proclamatioun at the mercat croces of the heid brughes of the Juriſdictiouns within the qlkꝭ they dwell, or be oppen proclamatioun at the ſaidꝭ mercat croce of our burgh of Edr Peir and ſchoir of Leith Inreſpect thair is not tutus acceſſus to thame or thair dwelling places or to the ſaidꝭ mercat croce of Edr peir and ſchoir of Leith being pñtlie vndir the publict enemies power) To compeir perſonallie befoir our eſtaits of parliament or thair comittie of eſtaits or athir of thame quha ſchall be fitting for the tyme At Pearth or qr it ſchall happen thame to be for the tyme The Tuentie fourt day of March nixtocum with continewatioun of dayes To anßr att the inſtance of our Truſtie and familiar Counſallor Sir Thomas Nicolſone our advocat for our entres in the actioune vnderwrin

THAT is to ſay the ſaidꝭ defendars To heir and ſie it fundin declaired verified and proven In preſence of our ſaidꝭ eſtaits of parliament or thair comittie of eſtaits foirſaid or athir of thame quha ſchall happin to be fitting for the tyme; That they have comitted the cryms of treaſon and vthers cryms deidꝭ and malverſatiouns vndirwrin In maner and at the tyms eftirſpẽit And to heir and ſie it fundin and declaired that the ſaidꝭ defendars have incurred the paine and puniſchment of hich treaſon; And to heir and ſie the ſentence and dome of foriſſaltour pronunced againſt thame for the ſame That is foriſſaltour of honour lyf landꝭ eſtait and goodꝭ, Or vthir wayes To heir & ſie thameſelfis ordeand to be puniſched by death, or vthirwayes cenſured in thair perſons landꝭ goodꝭ means eſtait name and fame, by fyning, confyning or vthirwayes as our ſaidꝭ eſtaits of parliament or thair comittie of eſtaits foirſaidꝭ ſchall think fitt WITH certificatioun to the ſaidꝭ defendarꝭ if they compeir not perſonallie the ſaidꝭ day and place our ſaidꝭ eſtaits of parliãt or thair comittie of eſtaits foirſaid will proceid to tak tryall and cognitioune of the cryms of treaſone, and vthers cryms deids and malverſatiouns eftir expreſt And to the pronunceing of the ſentence and dome of foriſſaltour againſt thame for the ſame that is foriſſaltour of honour lyf landꝭ eſtait and goodꝭ or vtherwayes to the puniſching of thame by death or vthir wayes to the cenſuring of thame in thair perſons landꝭ goodꝭ means eſtaitt name and fame by fynning confyning or vthirwayes as our ſaidꝭ eſtaits of parliãt or thair comittie of eſtaits foirſaid ſchall think fitt ffor the reaſſouns and cauſß following IN The First Becaus be the commoun law, laws and acts of parliãt and be all Juſtice, conſcience, equitie and reaſſone, all that ryſe in

airmes, and concurre with the enemies of this kingdome, for ſubduing of thair native cuntrie, all who fortifies and aſiſtes the enemies and adverſaries of this kingdome, all who keipes correſpondence and intelligence with the publict enemies of this kingdome, and all who being entruſted with chairge in the airmie, and forces of this kingdom and deſerts thair charge, and goes in to the comoun enemie, and frequents and reſorts in theſe places that ar vndir the enemies power Eſpeciallie theſe that have ſeimed to joyne with ws and our good Subjects in the Covenant and in the League and Covenant, and all who ar guyltie of the ſaidꝭ crymes miſdeids and malverſatiouns or any of thame ar guyltie of treaſone: and incurres the paine and puniſchment of treaſone; and the paine and puniſchment of forifaltour of lyf landꝭ and goodꝭ, or vtherwayes they ar cenſurabill and puniſchabill in ꝑ perſouns landꝭ goodꝭ means & eſtait name and fame be fynning confynning or vtherwayes as we and the ſaidꝭ eſtaits of parliāt or thair Comittie ſchall think expedient; all who being intruſted with the keiping of the caſtillꝭ of Edr Stirling or Dumbartane whiche be the laws of this kingdome ar appoynted to be keiped for defence of the kingdome and renders any of the ſaidꝭ caſtillꝭ without neceſſitie to the comoun enemie of the kingdome Lykas be the aughteint act of the ſeeund parliāt of our vmqll darreſt father of eternall memorie maid in anno Jmo vjc^e fourtie years all thoſe who ar intruſted with any power chairge or office wthin or caſtillꝭ of Edr Stirling or Dumbartane or any of thame, and does not imploy thair ſaid power charge & office alſe far as in thame lyes for our honnor and ſaiftie and for the peice ſaiftie good & proſperitie of this our kingdome and to the preſervatioun and advancement of the trew reformed religioun ꝑin preſentlie eſtabliſched and profeſt Incurres the paine of treaſſone And trew it is that the ſaid Walter Dundas younger of that ilk haveing beine intruſted be the comittie of eſtaits of parliāt of this our kingdome, With the keiping of our ſaid caſtill of Edr The cheiff ſtrenth and fort of this our kingdome And the ſaid Major Androw Abirnethie being alſo intruſted be the ſaid Comittie of eſtaits with the keiping of the ſaid caſtill, as nixt in charge and office vndir the ſaid Walter Dundas; And they being bund in dewtie to have imployed all the power charge and ſrvice comitted to thame within the ſaid caſtill for our honnor and ſaiftie and for the peace ſaiftie good & proſperitie of this our kingdome, and to the preſervatioun and advancement of the trew reformed religioun ꝑin pūtlie eſtabliſcht and profeſt And albeit our ſaid caſtill of Edr was ſufficientlie provydit with proviſioun of victuall and āmunitioun to have halden out againſt the comoun enemie ȝitt the ſaid Walter Dundas governor foirſaid and the ſaid Major Androw Abirnethie not onlie imployed not the power intruſted to thame in our ſaid caſtill for the end and vſe aforeſaid Bot on the contrair dureing the tyme of thair keiping and holding our ſaid caſtill, and till the tyme that they traterouſlie and perfidiouſlie rendred the ſame to the comoun enemie now preſentlie wthin this kingdome whiche was in the moneth of December Laſt Jmo vjc^e fyftie years; The haill tract of thair carriage hes beine a correſponding with the ſaid publict enemie, a deſifting to goe activelie about to vſe the power intruſted to thame againſt the ſaid enemie, till in end they did perfidiouſlie and traterouſlie againſt the truſt comitted to thame Rander the ſaid caſtill in the ſaid moneth of December to the comoun enemie; In ſo far as the ſaid Walter Dundas and Major Androw Abirnethie did not give ordors to the guners of the ſaid caſtill to ſchoot at the enemies armie marcheing frome the weſt vpoun the ſexteint of october Laſt qⁿ the ſaid enemie was marcheing towardꝭ leith by the north ſyd of the caſtill of Edr Bot on the contrair the ſaid Walter Dundas and Major Abirnethie did ſeverall tymes forbid Thomas Bynning gunner to ſhoot any without his expreſs command Lykas the ſaid Major Abirnethie In the preſence and hearing of the ſaid Walter Dundas one day at the parrade In the preſence and hearing of the ſaid Walter Dundas did forbid That Thomas Bynning ſould ſhoot any at any tyme thaireſtir without expreſs comand frome the governors awin mouth Lykas that night that the enemie brocht vpe thair cannon to Robert Davieſons hous The ſaid Thomas Binning guner being laying ſome gunes to ſchoot at thame; and he haveing ſent to the ſaid Walter Dundas for ordors to ſhoot The ſaid Walter came himſelf to the ſaid Thomas Binning and diſchairged him frome ſhooting till he wold give ordors telling him that thair was too muche ſhoot alreaddie and wiſched the blood to be on his awin head Lykas qⁿ Johne home ſrvitor to the ſaid Walter Dundas was challenged for giveing intelligence to the enemie and eftir he had confeſt the ſame and acknowledged ane lettir of intelligence caſten over the caſtell wall, to be his awin hand wreat and eftir the miniſters that wer in the ſaid caſtell for the tyme had deſyred that martiall law ſould have beine execut vpoun him; ȝet the ſamyne was not done, Lykas vpoun the day of december laſt In a publict conference amongeſt the officars and miniſters in the caſtill, The ſaid Walter Dundas and Major Abernethie declaired that they wold not act any more againſt the enemie and wold not awin the malignant intres Be all whiche particulars ꝑ correſponding dayly with the enemie and thair deſifting to act againſt the enemie is cleir; In qlk courſe they continewed till about the Twentie fourt of december laſt; Thair being ſufficiencie of proviſioun of victuall and āmunitioun wthin the ſaid caſtill They delyvered over the ſamyne to the enemie notwithſtanding that the miniſters who wer in the caſtill for the tyme, did frequentlie dehorte thame ꝑfra and at laſt not prevailling did give in a proteſtatioun in wreitt

againſt the ſame In doeing q^r^of The ſaid Walter Dundas and Major Androw Abirnethie have comitted treaſſone againſt ws and the eſtaits of this our kingdome and have incurred the paine & puniſchment þ^r^of To wit foriffaltour of lyf land^e^ and good^e^ Lykas the ſaid Johne home being w^th^in our ſaid caſtill of Ed^r^ befoir the ſamyne wes delyvered vpe to the ſaid enemie and haveing gottin permiſſioun to goe out to the toun of Ed^r^ with the ſaid Walter Dundas his childreine, he went of purpos to meit with M^r^ douning one of the enemies airmie and þ^r^ eftir diſcourſe with him The ſaid Johne home vndertook to give him intelligence and to certifie him quhat was done in the caſtill of Ed^r^ and that he maid appoyntment with M^r^ douning to caſt his lres of intelligence over the wall to the mouth of the enemies mynd^e^ Lykas in proſequutioun of his keiping correſpondence and giveing intelligence to the enemie, as he had promeiſt, he did wryt thrie lres of intelligence to the ſaid M^r^ douning and caſt thame over the wall q^t^by he gave notice to the enemie, quhat ãmunitioun wes ſpent and what was vnſpent w^th^in the caſtill and deſyred the ſaid M^r^ douning to give ane ſummond^e^ to the ſaid caſtill affirmeing that the ſaid Johne home was confident that biſſines wald goe weill with the ſaid enemie w^th^in the caſtill Lykas the ſaid Johne home gave intilligence to the ſaid M^r^ douning and told him of the number of the ſojors w^t^in the caſtill and that the powder lay in woults, and in quhat woults and houſſ^e^ the ſaid powder lay and gave certaine vther particular intelligence of the conditioun of the ſaid caſtill as is particularlie conteind in the ſaid Johne home his depoſitioun and confeſſioun vndir his awin hand daitit the thretteint of december laſt Taikin in preſence of Major Abirnethie Cap: Ker Captane Henryſone Thomas Kniblo George monro, Thomas bynning and the haill miniſters w^th^in the caſtill for the tyme In q^tt^ confeſſioun the ſaid Johne home hes acknawledged a lettir beiring the intelligences abovewritin fund caſtin over the caſtill wall to the enemie to be his awin hand wreat wreattin be him vpoun the ſext of the ſaid moneth of december, and that he caſt it over the wall about Ten hours at night, By which keiping of Correſpondence and giveing of intelligence to the enemie, in maner foirſaid The ſaid Johne home hes incured the paine and puniſchment of treaſone, That is foriffaltour of lyf land^e^ & good^e^ or vtherwayes is cenſurabill and puniſchabill in his perſone Land^e^ good^e^ means & eſtait name and fame by fynning confynning or vtherwayes as we and the ſaid^e^ Eſtaits of parliãt or thair comittie ſchall think expedient LYKAS the ſaid Collonell Archibald Strauchane haveing beine imployed as a collonell in the forces of this kingdome raiſſed for defence of the ſame againſt the ſaid comoun enemie And the ſaid Johne Swyntoun younger of that ilk haveing beine imployed as leivtenent collonell and haveing had the charge of ane troupe of horſe And the ſaid Major William Jonſtoun and leivtennent williame govane having had chairge lykwayes in our ſaid airmie They and evirie ane of þ^m^ did in the monethes of ſeptember october november december laſt and Januarij inſtant or ane or vþ^r^ of the ſd^e^ monethes deſert thair ſaid chairge reſiue & went in to the ſaid comoun enemie of this our Kingdome who hes invaided & does now oppres the ſame, and hes had þ^r^ frequent reſidence & hes reſorted w^t^ the ſaid publict enemie diverſ & ſ̃eall tymes ſenſyne in our touns of Ed^r^ Canogait & leith or ane or vther of thame The ſaid Johne Swyntoun younger of that ilk Collonell Strauchane & Major Jonſtoun carrieing thair ſword^e^ about thame and ſua hes declaired þ^m^ſelfs to be of the ſaid enemies pairtie Lykas the ſaid Williame dundas in the ſaid^e^ monethes of ſep^r^ october novem^r^ dece^r^ & Ja^r^ reſiue or ane or vther of the ſaid^e^ moneth^e^ did goe in to the ſaid enemie and keiped frequent companie w^t^ thame and hes had his frequent reſidence and hes reſorted w^t^ the ſaid comoun enemie diverſ & ſ̃eall tymes in our ſaid^e^ touns of Ed^r^ Cannogaitt & leith or ane or vther of thame and ſua hes declaired himſelf to be of the ſd^e^ enemies pairtie as ſaid is In doeing q^r^of They have comitted the crymes of treaſone and the paine & puniſchment of treaſone To wit foriffaltour of lyf land^e^ eſtait and good^e^ aught to be inflicted vpoun thame

AND THAIRFOIR the ſaid^e^ defendar^e^ have cõmittit the cryms of treaſone and vthers cryms deid^e^ and malverſatiouns abovеſpẽit And thairthrow have incured the paine and puniſchment of heich treaſone, And they aught and ſould be puniſched with the ſentence and dome of foriffaltour for the ſame That is foriffaltour of honour lyf land^e^ eſtait and good^e^ or vtherwayes they aught & ſould be puniſched by death or vthirwayes cenſured in thair perſouns land^e^ good^e^ means eſtait name and fame by fyning confyning or vtherwayes as we and our ſaid^e^ eſtaits of parliãt or thair comittie of eſtaits ſchall think fit ffor the reaſſouns and cauſſ^e^ foirſaid^e^ & vther^e^ & c^a^ Or elſe to alledge ane reaſſonable caus quhy the ſamyn ſould not be done, According to Juſtice And to be called ſumarlie againſt ſua many of the ſaid^e^ defendar^e^ as ſchall happen to be within this our realme the tyme of þ^r^ citatioun vpoun fourtie dayes wairning and againſt ſua many of thame as ſchall happin to be furth þ^r^of vpoun thriefcoir dayes wairnning But farder dyit tabill or continewatioun of vther ſummond^e^ Becaus the ſaid actioun is for cryms of treaſon and vthers cryms deid^e^ and malverſatiouns done and comitted be thame againſt ws our eſtaits of parliãt and the ſtanding laws and publict good and peace of this our kingdome And thairfoir aught to have ſumar proces conforme to the daylie practick obſ^r^ved in the lyk caiſſ And ane delyverance grantit be our comittie of eſtaits thairanent As ge will anſ^r^ to ws thair vpoun The

q^lk to doe we comitt to ȝow coñllie ⁊ ſeallie our full power Be thir our lres delyvering thame be ȝow dewlie execut and indorſit againe to the bearer Given vnder our ſignet At Pearth the Threttie day of January [and of our reigne the] Secund ȝeir 1651.

Ex deliberatione dñorum Cōmiſſionis pliāti
Quinto febrij Jo: Rowane
1651

Perth Laſt day of March 1651
The Kingis Mātie and Eſtaittꝭ of Parliāt doe remitt the abovew'ttin ſumondꝭ and all other ſumondꝭ direct againſt the deſenderꝭ abovemeioat in ſtatu quo nunc To the Committie of Eſtates w^t pouer to them to diſcuſe the relevancie and probation þ^r of And to pronunce ſentence and decyde þ^r intill
M Dauid Hay]

. . . . . .

ACT anent the payment of the Impoſt of the wyne Redd and paſt

HIS Mātie and eſtaittꝭ of Parliament appoyntꝭ the E/ Buccleuch the L/ advocatt and Ar^d ſydſerff to ſight and conſidder the hous in dundie appoynted to be þe coynehous conſidder the reparing þ^r off and accordinglie to grant precept not exceeding 2000 m̃kꝭ

REFERRIS to the Comittee of eſtaittꝭ to add ſum perſones to the committee of moneyes not exceiding four of evrie eſtaitt

REMITTIS to the Comittee for the armie to lay doun ſum courſ anent the cariage of meall from monroſſ for the vſ of the armie

SUPPLICA^ONE L/ cambo Remitted to the comittee of eſtaittꝭ w^t pooer to thame to determein

ORDANES the ge^ll of arteliarie to be payed of the 12000 ^li due to him ꝯforme to the liſt givin in and approvin and ane act to be extendit þ^r wpoun

Deleit be warrand

~~REMITTIS the overturꝭ of ſpēit givin in be the barrones viȝ on anent the officiarꝭ who had public truſt and haue w^t drawin þ^r ſ^r vice, ⁊ the other anent the officiarꝭ who gives not conſtant attendance, the firſt to the nixt ſeſſione of parliament ⁊ the other to the comittee of þe army~~

ACT and Cōmiſſione to the Comittee of eſtaitꝭ Redd voitted and paſt Off noblemen addit to be wpoun the ſ^d Comittee E/ Panmure V/ arbuthnot L/ cathcart and L/ elphingſtoun, addit for þe barrones wauchton Balthayock Bogy ereich Lochtour ardblair Luſſ whitſlaitt, addit for þe burrowis Ar^d ſydſerff, Sr Alex^r wedderburne James Ruchhead Ro^t pitcarne ⁊ W^m ſympſone

LETTER from the King ⁊ parliament to Mr Ro^t Douglas, and ordaned to be ſent w^t the L/ of nauchtoun, and the proveiſt of coupar

THIS day the Eſtaittꝭ of parliament haveing humblie ſupplicat his Mātie that he would be pleaſed for ſatiſfac^ne of his ſubiectꝭ to accept the comand of the army, His Mātie to teſtifie his willingnes to give thame ſatiſfac^ne did give his royall aſſent þ^r to, and declaired he would tak wpoun himſelff the comand þ^r off

SUPPLICA^ONE E/ Roxburgh being Redd, His Mātie and parliament Ordanes that, that w^che the counteſſ of roxburgh ſhall confes wpoun oath to belong to the Erle ſhalbe preſentlie delyvered to him And what remaynes queſtionable in hir hand ſhall be referred to the determina^one of the Judge ordinar the Counteſſ giveing hir owne ſurtie to mak the ſame furth cumand ⁊ ſhe and hir ſ^r vand giveing wp inventar wpoun oath, and the lyk for the childrenes bill

IT being moved by his Mātie anent the reſtitution of Sr Ro^t Dalyell to his pouer and dignitie as Erle of Carnewath His Mātie and parliament Remittꝭ the ſame to the Comittee of eſtaittꝭ w^t pooer to thame to call the new erle of carnewath his ſone befoir thame and to heir him and to ſattill the pteis

REPORT in favo^rꝭ of the toun of Kinghorne Redd ⁊ paſt

HIS Mātie and eſtaittꝭ forſaidꝭ modifieis to Mr Dauid and Mr Johne hayes clerkꝭ to the parliament eache of thame for thair great paynes this winter in attending ⁊ ſ^r veing the parliament, ane thouſand m̃kꝭ ſcottꝭ and Remittꝭ to the Comitteeis of eſtaittꝭ or comittee of moneyes to find ſum effectuall courſ for pay^t þ^r off

THE L/ Mongomrie in name of the E/ marſhell aſkit inſtrumentꝭ wpoun the reproduc^one of the hono^rꝭ viȝ the Croun ſcepter and ſword, in face of parliament and ꝑteſted for exonera^one þ^r off Q^lkꝭ wer thane delyvered to the M/ of argyll in name of the Comiſſionerꝭ of the theſurarie

REMITTIS to the Comittee of eſtaittꝭ to conſidder how the warrandꝭ of the actꝭ and ſignato^rꝭ of parliament, and the great charter granted be King Ro^t the bruce ſhalbe keepit now in tyme of truble

HIS Mātie ⁊ eſtaittꝭ Remittꝭ all billꝭ and ſupplica^ones givin in to the parliament to the Comittee of eſtaittꝭ w^t pooer to thame to determein þ^r in if they find thameſelffis Judges competent or vtherwayes to remitt thame to vther Judges competent

[SUPPLICATIONE of William Purves wrytter

WNTO the Kings moſt excellent Ma^r and hono^ll eſtaites off Parliament The humbill Supplicatione off Williame Purves wrytter.

Humblie Shaueth

THAT whair it is not wnknawne to maney of This honnourable court of Parliat what prejudice and loſes I heaue both befoir and ſince the Incomeing of the enemie ſuſtained my eſtait being waiſted and deſtroyed *pairtly* by the weſterine forces then leagureing thairon and now of lait vpon the aproache of the enemie towards that peice of grund belongeing to me whairvpon ane pairt of the forces of this Kingdome againe leagured my houſes by cõmand of the Cõmittie then with the armie wes brunt as being fund prejudiciall to them and adventagious to the enemie Quhilk being then repreſented to the Cõmittie of eſtaittes They in conſidderatione thairoff did ordaine my Lord couper and Lord Toftes To compryſe the ſamyne that courſe might be taken for my repairatione Conforme whairvnto The ſaid Lord Couper and Lord Toftes Heaueing mett and taken exact tryall both by the depoſitiones of certain witneſſ and farder informatione They compryſed my ſaid^e houſes and that croppe then groueing To the ſowme of Sex thouſand ane hundreth threſcore eichteine merk^e as the ſamyne compryſeing beares *Whairof as yet I heaue reſeaued no pairt but ſome few ſheipe q^lk belonged to the Laird of Dundas* And ordained to be geiven me by ane act of the Cõmittie of monneyes And now ſeing that throw the troubles of the tyme I am putt from aney Kynd of ſubſiſtance all my lyfflyhood being on the other ſyde And I drawne To extraordinary chairges ever ſince the doune ſitteing of þe parliãt by my attendance vpon the Cõmittie of Grivenceſſ and proveiſiones for the armie May it þ^ſoir pleas yor Ma^r and hono^ll eſtaites of Parliãt To take the premiſſ To your conſidderationes and take ſome effectuall courſe for my farder payment And to inacte the remanent of the ſaid ſowme ane publict debte To be payed to me with ãrent dureing my not payment And for my extraordinar attendance as yor Ma^r and hono^ll eſtaites ſhall think expedient and In tyme comeing dureing my attendance vpon the ſaids Cõmitties and yor anſ^r

28 March 1651

It is the Humbill Oppinione of the Cõmittie of Bills That the deſyre of the ſupplicatione be granted and the withinvr̃in ſowme of Sex thouſand ane hundreth Threiſcore eichteine merk^e Inactit ane publict debt In manner withinvr̃in The ſheip according as they ar compryſed be the Laird^e of Balfarge and Balbirne allowed in the firſt end thairoff And In reſpect of the ſupplicants conteinevall attendance wpon the within written cõmitties ſince the tyme within mentionat It is thair humble Oppeinione That ane hundreth merk^e for ilk monneth of his attendance be ordained to be payed him be the gñall Comiſſary or collector of the mentinance Or other publict dewes Out of the brughe off Aberdeine conforme to the deſyre of the bill

J Coupar I P D Cõm

Vltimo Martij 1651

The Kingis Mãtie and eſtaittis of parliament Remittes and Recomend^e the ſupplica^ne w^in wreattin ^t the deſyre of the ſupplicant þ^in ꝓteanit to the Comitteeis of eſtaitt^e or moneyes that ſum effectuall courſ may be takin for his ſatiſfac^ne ꝓform to the report abone wreattin

M Dauid Hay]

. . . . . .

[SUPPLICATION of Calum McCondochie vic ewen vic gregor and Ewan McCondochie ewen

TO the Kings Moſt Ex^t Ma ; and to the Honourable, and High Court of Parliament the Humble petition of Calum M^ccondachie Vic euen, And Euen M^ccondocheuen for themſelues and in name and behalff of the wholl Name of M^cgregor

Sheueth

THAT Notwithſtanding by the act of Leavie it is ordained That all Clanns ſhall come out in the preſent ſervice for defence of Religion King and Kingdome, under their Chiftaines, In obedience whereunto and by warrant from the Lord Marquis of Argyle, and Lieu^t Generall Dauid Leſlie, your petitioners are conveened and by them appoynted to defend the paſſes at the heads of forth as there order thereanent here to ſhew will teſtifie, Yett nevertheles the Earle of Atholl and the Lard of Buchanan under pretence that your petitioners are within their reẍtiue deviſions have forced us to putt furth a proportion of our Name to the ſaid Earle of Atholl for the preſent Leavie and the f^d Laird of Buchanan contrarie to the ſaid act of Parliament is daylie troubleing us for more, May it therefore pleaſe your Ma^r and the Eſtates of Parliament To Comand the ſaid Earle of Atholl to reliver to us whatſoever proportion wee putt furth to his Regiment, And to diſcharge the ſaid Laird of Buchanan to trouble, or demand from us any more, To the effect your petitioners freends and followers may come out together, as other clanns of the Kingdome, As alſo ſeing your petitioners are actuallie imployed in your Ma^r and the Countries ſervice That your Ma^r and the parliament wold aſſigne us a quarter for our enterteanement And your Ma^r and the Parliaments answere

Vltimo Martij 1651

The Kingis Mãtie and Eſtaittis of parliament Remittis the ſupplica^ne w^in wreattin and deſyre of

the ſupplicants p'in mentionat To be takin in conſideratione be the comittee of eſtaittis w' power to thame ather to determein p'in thameſelffis (if they find thameſelffis Judges competent) or To remitt the ſame to any other Judicatorie competent

M Dauid Hay]

. . . . . .

ORDANES M' Alex' colveill yo' of blair to be addit to the Comittee of war of fyff

RATIFICA°NE of ane gift off legittima°ne granted be his Mãtie to george elphingſtoun ſone to the L. of ſelmes

RATIFICA°NE of ane gift granted be the clerk of regiſter to M' Jo° dikſone of his place as dictato' of þe rollꝭ of exchekq' and vtherꝭ p'in mentionat

ACT in favo'ꝭ of Ge" King

ACT ſalvo Jure cuiuſlibet Redd voyced and paſt

ACT p'tinewing the parliament wntill the 17 of aprill nixt Red voyced and paſt in parliament

IN TESTIMONIE of his Mãties royall aſſent to the forſaidꝭ actꝭ he did tutche the ſame w' the ſcepter being preſented to his Mãtie be M' Dauid Hay clerk

. . . . . .

92 LETTER from Hadrian and Cornelian Lampſones to the parliament Remitted to the Cõmittie of eſtaittꝭ with power to them to tak cours for there ſatiffactione

. . . . . .

93 REMITT from the parliament to the Cõmittie of eſtaittꝭ To mak vp the Kingis Regiment out of the firſt leavies and to mak the ſame Compleit

. . . . . .

94 ACT ordaineing the price of horſß which are to be or are alreadie put furth for his Mãties ſervandꝭ to be ffyfteine pundꝭ ſterling the peice

. . . . . .

REMITT to the Cõmittie for the armie anent the gariſone of Stirling

95 AT PERTH the laſt day of march J^m vj^c and ffiftie ane yeires Our Soverane Lord and Eſtaitꝭ of Parliament now p̃tlie conveened in this ſevinth ſeſſioun of this ſecund Trienniall parliament Taking into there Conſidera°ne ane deſyre givin in to them be the officeris and ſouldio'ꝭ of the gariſone of ſtirling Craveing that ſome effectuall courß may be taken for payment to the officeris for the Thrie bygane monethis pay auchtand to them Q^lk being taken into Conſidera°ne be our Soverane Lord and the ſaidꝭ Eſtaittis of parliament THEY Find the deſyre therof Juſt and reſſo" And therfore doe Remitt and earneſtlie recõmend to the Cõmittie for the armie To tak in Conſidera°ne the thrie monethis pay dew to the gariſone of ſtirling beſoire ony other buſſienes, with power to them To tak any effectuall courſe for there ſpeidie ſatiffactione And to determine therein as they ſhall think fitt

. . . . . .

ACT anent the puniſhment of thoiſe who haue beene or ſhalbe Intruſted with the chairge of the armie and haue deſerted the ſame and reſorted to the cõmoune enemie 96

. . . . . .

ACT Anent thoiß who haue beine Intruſted with the keeping of the caſtellis of Ed' Stirling or Dumbartane and haue rendred or ſhall render any of them to the enemie 97

. . . . . .

ACT anent the hichting of the raites of gold and money 98

. . . . . .

ACT Ordaineing ane full monethes manteinance to be payed be the wholl Schyres by and atto' all former Impoſitiones

AT PERTH the laſt day of march J^m vj^c and ffiftie ane yeiris Our Soverane Lord and Eſtaitꝭ of parliament now p̃tlie conveened in this ſevinth ſeſſioun of this ſecund Trienniall parlia' ffor wechtie and great conſidera°nes moveing them Haue ordained and ordanis ane full inteir monethis manteinance To be payed by þe wholl ſchyres of this kingdome To be Imployed for his Mãties wſe And that by and atto' all Impoſitiones Impoſed preceiding the day and dait heirof AND Ordanis the ſame to be payed to the Collecto'ꝭ appoynted for Ingaddering þ'off within eight dayes eſtir intima°ne of the act To the ſeverall Cõmitties of war in the ſeverall ſchyres, with certifica°ne that ſuch as are deficient in payment thereof ſhalbe quartered vpon Lykeas his Mãtie and eſtaitꝭ forſ'ꝭ grantis warrand to the neireſt adjacent troupes or regimentꝭ to q'ter vpon thaiſe who ſhal happin to be deficient in payment of there juſt proportiones p'off which monethis manteinance being Collected and Ingaddered Ordanis the ſame to be delyvered to the Theſaurer deput or the receaveris of his Mãties rentꝭ for his Mãties wſe 99

ACT Anent Collecting of Ane hundreth and Eight thowſand pundꝭ for defraying the expenſß of his Maties Journey in his Comeing home

AT PERTH the laſt day of march J^m vj^c and ffiftie ane yeiris Our Soverane Lord and Eſtaitꝭ of parliament now p̃tlie conveened in this ſevinth 100

ſeſſioun of this ſecund Trienniall parliament ffor the more ſpeidie inbringing of the Ane hundreth and Eight thowſand pund which was Impoſed by act of parliament wpon the kingdome in the moneth of J^m vj^c^ and ffiftie yeiris for defraying the Kingis Mãties Journey from Holland to this kingdome Doe heirby give ordo^r^ warrand and Cõmand to any officeris of horſe and foott To quarter vpon the Cõmitties of war of the ſeverall ſchyres of this kingdome Refuſeing or delaying to lay on þ^r^ proportiones of the ſowme forſaid wpon the herito^r^ and otheris lyable in payment of the ſamyne and to delyver the roll^t^ to the Collector within eight dayes eftir Intima^c^ne of thir pũttis To the ſaid^t^ Cõmitties of war And ſiclyke to quarter vpon the Collecto^r^ within the ſeverall ſchyres They refuſeing or delaying to collect according to the ſaid^t^ roll^t^ ſett doun be the Cõmitties of war within eight dayes eftir delyverie of the ſame to them And farder to quarter vpon the wholl deficient^t^ in payment of there proportiones within fyfteine dayes eftir publict intima^c^ne to be maid to them for payment of there proportione of the ſoume of Ane hundreth and Eight thowſand pund^t^ money forſ^d^

REMITT of the proceſs aganis Co^ll^ Strachan & other^t^ To the comittie of eſtates.

101 AT PERTH the laſt day of March J^m^ vj^c^ fiftie ane geirs Our ſoveran Lord And eſtates of parlia^t^ doe Remitt all ſumonds and proceſſ depending before the parlia^t^ at the inſtance of his Mãties advocat, Againes Colonell Archibald Strauchane Walter dundas of þ^t^ ilk younger, Maior Andrew Abernethie, Maior William Johnſtoun, Capitan William Govan Johne Home ſervitour to the laird of dundas And William dundas brother to the Laird of duddingſtoun To the comittie of eſtates In ſtatu quo nunc, Giving thame power warrand and comiſſion To diſcuſ the relevancie and proba^c^n thairof, And to decyde and determine þ^r^in alſ fullie in all reſpects as the parlia^t^ ſiting in pleno conceſſu could have done

102 ACT Anent the payment of the Impoſts of wyne

. . . . . .

103 COMMISSIOUNE for viſiteing of the Coynehous of Dundie

. . . . . .

REMITT to the Committie of Eſtaitt^t^ to joyne certane perſons to the Cõmittee of moneyes.

104 AT PEARTH the laſt day of Mairch J^m^ vj^c^ fyftie ane geirs The q^lk^ day Our Soueraine Lord and eſtaites of parliãt now preſently conveined in this ſevint ſeſſione of This ſecond trienniall parliament Hes remitted and remitts To the Cõmittie of eſtaites To ade certaine perſones of every one of the Three eſtaites To the Cõmittie of monneys They not exceiding foure of every eſtaite

. . . . . .

REMITT from the parliament to the Cõmittie for the armie to tak courſ anent the Cariage of maill from Monroſſ to the Armie 105

. . . . . .

REMITT In favours of the Laird of Cambo to the Committie of Eſtaitt^t^

AT PERTH the laſt day of March J^m^ vj^c^ fiftie ane geirs Our Soverane Lord And eſtates of parlia^t^ Haveing takin to thair conſidera^c^n ane ſupplica^c^n gevin in to þ^m^ be Sr Patrick Myrtoun of Cambo Schewing That q^r^ vmq^ll^ Sr Thomas Myrtoun of Cambo k^t^ his father wes ever from the firſt begining of the trowbles of þis kingdome of Scotland Imployed in the publict ſervice Q^r^in he not only loiſed his lyfe bot alſo wes neceſſitat to contract great ſowms for the vſe of the publict, as is notourly knowin to the eſtates of parlia^t^ Quhairthrow the ſ^d^ ſupplicant as his ſone & air wes conſtrained for pay^t^ of thois publict bands To diſpon a great pairt of his eſtate And ſince the death of his ſ^d^ vmq^ll^ father he hes payed the quholl arreirs of þ^r^ regim^t^ q^r^vnto he wes Colonell, Q^lk^ the ſ^d^ ſupplicant is aible to inſtruct be production of the publict order^t^ gevin to him for doeing þ^r^of, And diſcharges vpon receipt of the ſam, As lykwayes about ane geir ſince or þ^r^by The ſaids eſtates cauſed him pay the third pairt of the ſowme of Nyne thowſand Merk^t^ and ãrent þ^r^of Q^lk^ his ſ^d^ vmq^ll^ father, Wauchtoun, and Innes, Thain prievie counſellers did vpone the eſtates order^t^ Ingadge þ^m^ſelfs for the releiff of the Iriſh airmy, As thair act gevin þ^r^anent of the date the twentie ane of Junij J^m^ vj^c^ fiftie ane geirs At mair lenth beirs Q^lk^ & ſowms of mo^c^ and vthers payed be the ſaid ſupplicants vmq^ll^ father and himſelf The ſ^d^ eſtates are obleidged for repay^t^ þ^r^of bak againe to the ſ^d^ ſupplicant And lykwayes the lights of the May being no benefeit to him be the loſe of trade, And a great pairt of his eſtate ingaged þ^r^fore And in reſpect of the trouble & great burdings lyes on the ſ^d^ ſupplicant, More nor the dowble of his rent being exhauſted, wch is the only mein for defraying of his debts Q^r^by he is altogither vnabled to pay the prin^ll^ ſowms he is auchtand to his creditours, Humbly þ^r^fore craiveing þ^t^ his Maieſty & eſtates fore^ſ^d^ may tak the premiſſ to conſidera^c^n, And witnes thair affection þai have By granting him ane gñall ſuſpenſion Suſpending gñally all Reġratt bands obliga^c^ns, lres, or executoriall^t^ raiſed vſed or to be raiſed vſed & reġrat againes the ſ^d^ ſupplicant, at the inſtance of his ſ^d^ credito^r^ for pay^t^ of any prin^ll^ ſowms he is auchtand, The ſ^d^ ſupplicant paying geirly to þ^m^ the ãrents þ^r^of for the q^lk^ he is content to geive ſufficient ſecurity, And lykwayes 106

diſchargeing all Meſſingers of armes or vther officiars q^tſomever frome vſeing any execu^on aganes him for pay^t of the f^tt prin^ll ſowms, Ay and quhill it ſhall pleas god to put his Mãtie & eſtates foref^tt in þ^r condition To refound the loſß of the ſupplicant, And quhill it ſhall pleas god to remove þir extraordinary trowbles As att mair lenth is contened in the f^d ſupplic^an q^lk being takin in conſidera^on be the ſaids eſtates of parlia^t They have Remited & remits the f^d ſupplica^on, & deſyre of the ſupplicant þ^rin contened To be takin in conſidera^on be the comittie of eſtates w^t full power to þ^m to decyde & determine þ^rin alß fully in all reſpects as the parliament might have done þ^mſelfs

. . . . . .

107 ACT in favo^tt of the gñall of arteiliarie

. . . . . .

COMMISSION to the Committee of Estates.

108 AT PERTH laſt day of March 1651 Our Soveraine Lord and Eſtaites of Parliament now pũtlie conveined in this ſevint ſeſſion of this ſecond triennall parliament Conſidering that by ane act of the laſt ſeſſion of parliament Thair was ane commiſſione granted to Archbald M^r of argyle John Erle of Sutherland The Erle of Eglingtown the Erle of Caſſillis The E. Linlithgow The Erle of Dumferling The E^r of Roxburgh E. Bucleuch E. Louthian E. Weemes E. Tueddall E. Levin Viſcount of Newburgh The Lord Torphicen Lo^r Balmerino Lo^r Burghley Lo^r Cowper Cranſtown Balcarras Borthuick Barrones L^r Humbie, L^r Toftis, L^r Clerkingtowne ffrieland Niddrie, Duffus, Thornetown Buchanan Keath Skerling, L^r Nauchtown Caveris Hardin elder Scottiſcraige, L^r Lammertown Sr Patrick Hammiltowne Stobbis Sr Charles Erſkine Johnſtown barclay Sr James Rollock for the burrowes Sir John ſmith monteith Sir William Dick Androw grant alexander bowar John Jaffray George gardin John Boſuall James ſword George Jameſone John Short Hew Kennedy Robert Whyte John forbes Colonell James Ray Mr Robert Barclay James Lentrown Mr Robert ffarq^r Robert davidſone david wilkie or anie nyne of þ^m as þ^r quorum tuo being of euerie eſtaite Lykeas the Kings Mãtie and the Eſtaites of Parliament doe add as ſupernumerary to the foirnamit perſones of the committy of Eſtaites the perſones following vi^z the Lord Angus The Lord Lorne The Lord Montgomerie The Lord Mauchlin and the L^r Brechin The Clerk Regiſter The L^r advocat Theſaurer deputt, Lo^r Broddie The Lo^r Howſtown, L^r fairnie John binnie Robert arnot william walker and Gilbert Sommerveill and the Lord chancellor and the generall officers to be ſupernumerary As ane Committy of Eſtaites giving power to þame or þ^r quorum þ^rin mentionat in manner and to the effect particularlie conteinit in the f^d commiſſione as the ſame bearing the dait the 30 of december laſt bypaſt at mair length proportis and heirwithall Conſidering that the ſame cauſes for which the f^d commiſſione was granted doe ſtill continew and that in reſpect þ^roff the haveing of ane Committy of Eſtaites is now no leſſe but rather more neceſſar than formerlie Thairfor his Mãtie and Eſtaites forſaids doe nominat and authorize the haill foirnamit perſones conteyned in the f^d former commiſſione and addis þ^rto for the noblemen the E. Panmuir V^r arbuthnot, L^r Cathcart, Lo^r Elphingſtown ffor the barrones nauchtown Bathauock, bogy creich Lochtour ardblair Luſß whytſlaitt ffor the burrowes Ar^d Sydſerffe Sir Alex^r Wedderburne James Rochead Robert pitcairne and Wm Sympſone as members of the f^d Committy of Eſtaites to q^m or anie nyne of þ^m as their quorum q^tof Tuo of euerie Eſtaite The Kings Mãtie and Eſtaites of parliament forſaid Renewis and heirby grantis the ſame power and commiſſione in all poynts heidis clauſes and conditiones as is conteined in the f^d former commiſſione granted to the Committy of Eſtaites in the f^d laſt ſeſſion of parliament of the dait forſaid and conforme to the tenour þ^roff in euerie head and article of the ſame declaring that the gñalitie heiroff ſall be alſe walid and effectuall as If the f^d commiſſion were of new extendit in ample forme and euerie clauſe and article þ^rof heirin expreſt and with power to the f^d Committy of Eſtaites as his Mãties chiefe counſell in the Interwall of parliaments to wſe all lawfull and poſſible meanes (according to the covenant and to the dewetie and alleadgeance of loyall and faithfull ſubjects) for Eſtabliſhment of his Mãties government and poſſeſſione of his wther kingdomes according to his wndoubted right of ſucceſſione Excepting alwayes from this pñt commiſſione thir word^tt ſubjoyned (in the former commiſſione) to the gñall clauſe anent the power of the governing of the whole body of the kingdome (vi^z as the Kings Mãtie and the parliament might doe If they were fitting in pleno conceſſu) which word^tt alanerlie of the extent of the former power is heirby declared not to be conteyned in this renewed commiſſione But that in place of thoſe word^tt The f^d Committy have power of the governing of the whole bodie of the kingdome as fullie and frielie in all reſpects as anie Committy of Eſtaites or anie delegat power or Judicatorie ſubordinat to the parliament can lawfullie doe and excepting lykewayes heirfra the commiſſione for the privie counſell the Judicatorie of ſeſſion the commiſſion for the theſaurerie the commiſſion of the excyſe and regulating of the accompts the oþ Judicatories eſtabliſhed by the lawes of the kingdome and the commiſſion appoynted in this ſeſſion of parliament for manageing of the effaires of the armie which ar heirby reſerved and declared to ſtand in the full force þ^roff notwithſtanding of this pñt commiſſione And his Mãtie and Eſtaites of Parliament declares the former commiſſione and power granted to the committy of Eſtaites now heirby renewed To ſtand

enteir and in full force in the whole articles and clauſes of the ſamen in manner þ'in expreſſed except alanerlie the particulares before excepted and with power to the ſ^d committy either in whole or ſuch of þ^r number as they ſall think fitter to awaitt wpon his Mãtie and the armie as a committy of eſtaites for the endis and to the effect forſaid wpon all occaſiones as they ſall find expedient for the good of religione his Mãties ſervice and the ſafetie and proſperitie of this kingdome

. . . . . .

109 LETTER from his Mãtie and parlia^t to the moderator of the Cõmiſſione of the gñall aſſemblie

. . . . . .

110 DECLARA^oNE emitted be his Mãtie (being humblie ſupplieatt to accept the Cõmand of the armie vpon himſelf) quhairby his Mãtie declairis he wald tak vpon himſelf the Cõmand þ'off

. . . . . .

111 REMITT the Erle of Roxburgh and the lord Ker^r childrein contra the Countes of Roxburgh to the comittee of eſtaitt^r

. . . . . .

REMITT anent the Reſtitutione of Sir Robert Dalzell to his hono^r and dignitie as Erle of Carnewath To the comittie of eſtates

112 AT PERTH the laſt day of March 1651, The q^lk day it being moved in plaine parlia^t be his Mãtie, That Sr Ro^t Dalzell might be preferred to his former honour & dignitie allanerly, Againes the ſentence of foirfaltour Led & deduced againes him, Q^lk being takin in conſidera^on be the ſaids eſtates of parlia^t, His Mãtie & eſtates fore^d^r Hes Remited & remits to the comittie of eſtates To tak the ſ^d motion to conſidera^on, Swa far as concerns the reſtitu^on of the ſaid S^r Ro^t to the dignity allanerly And þ^t Gawin now Erle of Carnewath his ſone may be called & heard, And to ſettill the pairteis & determine þ'in.

. . . . . .

113 ACT In favo^r of the toun of Kinghorne

. . . . . .

ACT and Recommenda^ne In favo^r of Mr David & Johne Hayes clerkis of parliament

114 AT PERTH the laſt day of march J^mo vj^c and ffiftie ane yeiris Our Soverane Lord and Eſtaittis of parliament now p̃tlie conveened in this ſevinth ſeſſioun of this ſecund Trienniall parliament Taking to there conſidera^ne the great paines and travellis takin be Mr David and Mr Johne Hayes clerkis of parliament thaiſe twa laſt ſeſſiounes of parliament in abſence of the reſt of the clerkis THEREFORE and ſpeciallie in reſpect of ane motione maid be our ſaid ſoverane Lord in plaine parliament for modefieing ane ſoume of money To be payed to the ſaid^r twa clerkis for there ſaid^r paines and travellis They Doe Modefie and appoynt The ſowme of Ane thowſand merkis ſcot^r To be gevin to everie ane of them for there ſaid^r paines and travellis in attending and ſerveing the King and parliament theſe twa laſt ſeſſiounes of parliament And doe remitt and earneſtlie recõmend To the Cõmittie of Eſtaittis or Cõmittie of moneyes To find out ſome effectuall courſe for payment of the ſaid ſowme of Ane thowſand merkis to eache on of the ſaid^r twa clerkis With full power to the ſaid Cõmittie to doe therein as they ſhall think fitt for there ſure payment and ſpeidie ſatiſfactione.

. . . . . .

INSTRUMENTIS takin be the Lord Montgomrie In name of the Erle of Marſchell anent the reproductione of the hono^r^r viz Croun ſceptor and ſword q^lkis were delyvered to the Lord Marqueis of Argyll In name of the Commiſſioneris for the theſaurarie 115

. . . . . .

REMITTED to his Mãtie and Comittie of eſtaittis To conſidder how the warrand^r of parliament and his Mãties great charto^r conteining the tailzie of the Croune ſould be keiped 116

. . . . . .

ACT Remitting all billis and ſupplica^nes gevin In to the parlia^t not diſcuſſit To the Comittie of eſtaittis w^t power to them to determine þ'in or remitt the ſamyne to vther Judicatories 117

. . . . . .

ACT adding Mr Alex^r Colvill younger of blair to the Cõmittie of war of fyiff 118

. . . . . .

RATIFICA^oNE of ane gift of legittima^ne grantit be his Ma^t To george elphingſtoune ſone to the laird of felmes 119

. . . . . .

RATIFICA^oNE of ane gift grantit be the clerk regiſter to Mr Johne dickſone of his place as dictator of the rollis of excheker and vtheris þ'in mentionat 120

. . . . . .

ACT in favo^r of ge^ll King Lord ythane 121

. . . . . .

ACT Salvo Jure Cuiuſlibet 122

. . . . . .

ACT Continueing the parliament to the ſevintein day of apryll nixt 123

Apud Stirling,

XXIII DIE MAII, A. D. M,DC,LI.

IN THE EIGHTH SESSION OF THE SECOND TRIENNIAL PARLIAMENT of our Soveraigne Lord CHARLES II. By the Grace of God, King of Scotland England France and Ireland Defender of the Faith, Holden at Stirling and begun the twenty third day of May 1651.

XXIII MAII.

[MINUTES]

23 day off Maij 1651 1a dies parliam.

DOMINO REGE PRESENTE.

Sermon maid by Mr James Durhame, Roll callit

THE Oath of parliament Redd and takin by all the members of parliament who wer present

THE tuo acts of parliament anent the electione of ane prefident of parliament, on in anno 1641 and the other in anno 1647 being Redd, Tharefter the Lord Burghley wes efter voyceing elected and choyfin prefident for this feffione of parliament

THE L. M. of Argyll for himfelff and in name of the remanent Comiffioners for the thefurarie aſkit inſtruments wpoun the productione of the honors viz the Croun fcepter and fword, for his and thair exoneracone, and wpoun aſkit inſtruments, Lykas wefter The honors wer by his Mäties and the parliaments ordor delyvered to Sr Wm Keath of Ludquhin in name of the E. Marchell to be keepit during this feffione of parliament

ORDANES the Comittee for pe effairs of the armie to give in fuche particulars as they haue to repreſent to the King and parliament concerning the armie the morrow

REMITTIS to the Kingis Mätie to call the gell officiars that court may be takin anent Runawayes who ar takin on of new in the armie

ACT anent the voluntar loane of money wt ane letter to the ſeverall comitteeis of war and preſbetries wanent Redd and approvin in parliament, and remitts the way for diſpatche of the act & letters to the ſeverall preſbetries & comitteeis of war To the comittee for money and nominatts Mr Johne Drumond collector, & remitts to the ſd Comittee what conſidera°ne ſhalbe givin to the Collector, And appoyntes the V. of arbuthnot Sr James morrey and andro glen to go throw the members of parliament and Comitteeis that ar in toun that they may evrie man ſubſcryve what they ar to len, And Ordanes the L. Balcarras L. Humby and Sr Ror ferqr to go throw the officiars of the army for that effect

COMMISSIONE for viſita°ne of the vniverſitie of glaſgow paſt & ordaned to continew till the firſt of november

ORDANES the Comittee for proviſiones to meitt this night

ORDANES the nixt meitting of parliament to be the morrow at nyne hours

Minuttis Redd

. . . . . .

ACT anent the voluntar loane of money 1

. . . . . .

XXIV MAII.

[MINUTES]

Vigeſimo quarto Maij 1651 2a dies parl.

DOMINO REGE PRESENTE

Prayers heard and rolls callit

HIS Mätie and eſtaitts of parliament addis to the Comittee of greevances, The Lairds of Carden houſtoun biſhoptoun Langtoun Blacader Carnok dundas name & Mr Jon cowan to meitt in the toun councel hous on monday at nyne hours and to ſitt, wharw the parl. diſpenſs

SUPPLICA°NE francis guthrie of that ilk Redd, and Comiſſione Granted to the ſhireff of the ſhyre, and ane Comand to Coll Johne home to tak and apprehend the delinquents and ſecure thame and Cita°ne to be direct at the inſtance of his Mäties advocatt & the compleaners aganes thame to comp before the Juſtice gell & his deputts the day off To anſr to the complaint And ordor To be givin to the L. ogilby Colonell of the ſhyre & his officiars to be aſſiſting to the ſhireff in taking and apprehending the delinquents

ORDANES ane buik to be ſent to evrie burgh in qlk buik the pñtt comiſſioner ſhall ſubſcryve firſt what he is to lend for himſelff, and the buik to be returned wt the ſubſcrip°ne of evrie pticular Inhabitant of pe burgh bearing the ſowme wche they ar to len, lykas the Comiſſioner ſhall inſrt & ſubſcryve in the publict buik lykwayes qt he is to len

ORDANES ane Comittee of three of everie eſtaitt to be named be the ſeverall bodyes to tak in conſidera°ne the paperis givin in be the Comittee for

þe army, and to think what further is neceſſ^{r} to be don in relatione þ^{r}to q^{r}wpoun The noblemen nominat M^{r} argyll E^{r} Caſſillſ and L^{r} Ruthven The barrones nominat Duffus ſtrathurd and Johnſtoun The burrowis named S^{r} Ro^{t} ferq^{r} Johne forbes and George gardyne To meitt at tuo efternun in the Inner rowme

HIS Mãtie and the pliament ordanes cita^{o}ne to be direct aganes the Magiſtratſ ⁊ comones of Glaſgow anent the queſtione and differences betuix thame ⁊ Injuries done be ather of tham to otherſ to compeir on wedniſday nixt befor the pliament, and to exhibeit þ^{r} compt^{ſ} ⁊ to ſumond witneſſ

SUPPLICA^{o}NE E^{r} Levin L^{r} Generall Redd and the ptie ordaned to be ceitted to comp w^{t}in 6 dayes efter the cita^{o}n befor the Lordſ Cranſton Humbie Toftſ Clerkingtoun ⁊ bromehall or any three of thame to q^{m} his Mãtie ⁊ plia^{t} givis pooer to diſcuſſ the reaſones of ſuſpenſion

ORDANES the nixt meitting of pliament to be on monday at ten hourſ

Minutſ redd

XXVI MAII.

[MINUTES]

Vigeſimo Sexto Maij 1651 3ª dies parliam:

DOMINO REGE PRESENTE

Prayeris heard and rollſ callit

REPORT from the Comittee appoynted for conſiddering of the paperſ givin in concerneing the effairſ of the army Redd ⁊ the Kingis Mãtie ⁊ pliament Ordanes the ſame Comittee ⁊ Joynes þ^{r}to Balcaras L^{r} humbie ⁊ S^{r} Jo^{n} ſmyth ⁊ James ſword to meitt preſentlie and ſett doun ordo^{r}ſ for carieing wp of þe victuall from the northern ſhyres and to give preſent diſpatche for þ^{t} effect we^{lle} ſhalbe alß valeid as if it wer don by his Mãtie ⁊ parliament thameſelffis

THE Kingis Mãtie ⁊ parliament Ordanes a Comitte of 3 of evrie eſtaitt to be named be the ſeverall bodyes To conſidder of the ſecond threid fourt and fyft articles of the report w^{t} pooer to thame to ſett doun Ordo^{r}ſ for putting the ſame in execu^{o}n and if any difficultie occur to report q^{r}wpoun the noblemen nominatt Lt Ge^{ll} Arbuthnet Mordingtoun, the barrones nominat Toftſ Lambertoun Keath, Burrowis Ro^{t} durie M^{r} alex^{r} douglas Jo^{n} boſuell

THE fixt artickle anent horſß ⁊ oxin for cariage of the trayne of arteliarie remitted bak to the ſame Comittee

THE ſevinth artickle anent the baggage horſß remitted to the ſame Comittee

THE nynth artickle ⁊ tenth artickle lykwayes remitted bak

ORDANES a letter to be preſentlie direct to the Lord Cochrane ⁊ Loure to remayne at St Jonſtoun for eight or ten dayes

SUPPLICA^{o}NE L^{r} Harthill Redd ⁊ cita^{o}ne granted

[WNTO the Kinges moſt excellent Mãj The humbill ſupplica^{o}un of Johne Leithe of Hairthill and Jeane forbes his wyff, and Anna Leithe his only daughter, and wtheres.

Humbly Schewethe

THAT whairas it is not wnknowine To yor Mãj and the hon^{ll} hous of Parliament, how many greatt and greivous croſß I have ſuſteinit Thir many geires bypaſt Notwithſtanding it is of Trewthe That William and Patrik Leithes tuo wnnaturall and wicked breithering, Hes Againes all law conſcience and Juſtice, Thruſt furthe moſt violently ws the ſ^{des} Jeane fforbes and Anna leithe, and our ſ^{r}vandes of the hous and landes of Hearthill Bruik wpe our haill lockes, Middillit Intromittit withe and tuik away our faides haill wreattes and evidentes of the ſ^{des} landes of Hairthill, withe our haill Jewelles and Aboulgem^{t}, And alß That yor Mãjs Advocat, may Compeir for your hienes entres, Anent the Crewill murther of wmq^{ll} Williame Leivingſtoun ß^{r}vitur to the ſ^{d} Jo^{n} Leithe, Comittit att the kirk of Gairtlly wpoun the day of 16 geires And alß for the cõmitting of the horribill and ffilthie cryme of Adultry withe Majorie Leſly Spous to Patrik Leithe in the mylne of Bonntoun, And ſiclyk for reaſing of wilfull fyre in the maines and Paroſchine of Moneymoß And for taking in the hous of Auchinhowe, and harrieing ⁊ plundering meſeres Murray, And alß for reaveſching about tuelff houres in the day, Majorie Gordoune Spous to Johne leſlly Sumtyme of Durnay And ffinally for Manaſſing To kill me thaire elder brother To droune my wyff And to kill and Piſtoll me the ſaid Anna leithe, All whiche Criminall Crymes are Odious in the ſicht of god, deteſtabill to his Peopill And Aucht by all Law to be Puneſched by deathe to the terror of wþires May it pleas yor grace ffor the Tender mercye of Jeaſus Chryſt, To grant ws warrand and cõmiſſioun To tak and Apprehend the ſ^{des} pſonis And to put them in ſaire ward ay and q^{ll} they put ws in our awine poſſeſſioun And to reſtore to ws our ſ^{des} wreattes and Jeuelles, att the left to conveine them be yor graces hiche Court of Parliament, ffor that effect, Or Juſtice gen^{ll} and his deputties As yor grace ſall think expedient Befoir whom, I ſall prove

my bill ſub pena lex talionis, The doing q'of ſall obleidge ws, To pray for yo' Mäjes long and happie reigne, a proſpoures warr and happie Peas

Stirling 26 Maij 1651

THE Kings Maieſtie & eſtates of parlia' Ordanes ane Meſſ' of airms to pas warne & charge the pairteis compleined vpone To compeir before the parlia' or þ' comitty of eſtates To anſ' to the complent men'nat in the ſupplica'n And þ' vpon the fyfteint day of Julij w' ꝓtinua'n of days Vnder the pane of rebellione W' certifica'ne &c' And alſ to ſumond witneſſ vnder the pain of rebellion

BURGHLY I P D Parlū
M Dauid Hay]

. . . . . .

SUPPLICA'NE Erle of Mar Redd & Comiſſione Granted to S' Ro' dromond & S' James morrey

SUPPLICA'NE W'' baxter Redd and paſt he finding ſufficient caw'n to mak the ſowme furthcumand to any ptie who ſhall prevaill

ORDANES the Cõmitteeis to meitt this efternun at tuo hour' and the morrow at nyne hour' and the parliament at tuo efternun

XXVII MAII.

[MINUTES]

27 Maij 1651 4ª dies parliam.

DOMINO REGE PRESENTE

Prayer' heard and roll' callit

M'' Ro' Douglas and certane other' comiſſioner' of the ge'' aſſemblie gave in a paper deſyreing ſum of the parliament to be deſigned for conference w' thame anent ſum particular' whairw' they ar intruſted whairwpoun his Mätie & parl. ordanes four of evrie eſtaitt to be nominat be the ſeverall bodyes for conference and ordanes thame to meitt heir in the parliament hous at fyve efternun, whairwpon the noblemen nominat M / argyll E / caſſill' E / Lothiã L / balcarras The barrones nominat humbie Toft' caver' duffus S' Jo'' ſmyth andro grant S' Ro' ferq' & James ſword

REPORT from the Comittee for reveiſing the paper' givin in be the Comittee for the Army Redd agreeit and remitted according to the minutt'

HIS Mätie and Parliament ordanes the ſhyres of fyff and Clakmanan to carie the biſkett from dyfert and kirkcaldie to Stirling according to the proportione of the ſhyres, and Remitt' to S' James murrey to caſt the proportion

HIS Mätie & the pliament Remitt' to the Comittee appoynted for trying of the proviſion of the tent' & amonition horſſ To call for the tranſport money and try what vꝑ it is putt to

HIS Mätie and parliament Ordanes ſix of the beſt cannon in any ſhip at bruntyland to be tranſported from bruntyland to kinghorne for keeping of that place of the cuntrie

HIS Mätie & Parliament Ordanes the tuo peices Lying at newburgh in aberdeinſhyre to be tranſported to aberdein for ſaiftie of the harberie & toun

ORDANES the Comittee appoynted for reveiſing of the paper' givin in from the Comittee for þe army To fight and Conſidder þ' haill proceedingis & report the ſame

HIS Mätie and Eſtaitt' of parliament Ordanes the L / humbie Toft' Keath and his Mäties advocatt to look wpoun the ratifica'nes and conſidder what of thame aucht to be repreſented to the parliament

ORDANES the Conference to meitt preſentlie the Comitteis the morrow at ten hour' and the parliament at tuo efternun

XXVIII MAII.

[MINUTES]

28 Maij 1651 5ª dies parliam.

Prayer' heard and Roll' callit

A PAPER givin in be theſe ſent from þe Comiſſioner' of the ge'' aſſemblie Redd in pliament & remitted to the Comittee for conference to draw the draught of ane act of pliament agane thair nixt meitting and ordanes his Mäties advocatt to be pũtt w' thame

THE parliament Grant' warrand to the Lord Ruthven the L / nidderie and M' alex' douglas To tak Johne Narnes aith in the ac'ne pſewit be M' dauid campbell aganes him and to receave in the report

ORDANES the Comittee for þe conference to meitt preſentlie for drawing the draught of the act, and the parliament to meitt the morrow at eight hour'

XXIX MAII.

[MINUTES]

29 Maij 1651 6ª dies parliam.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

DRAUGHT of ane act anent ſecureing of religione & work of reformaᵒne wᵗ the band relative þto Redd in pliament & remitted to the ſeverall bodyes

A PAPER concerneing the 3 regᵗſ of fyff remitted to the Kingis Mãtie to call the geⁿˡ officiarſ and tak the ſame in confideraᵒne

SUPPLICAᵒNE Johne wallace and Andro ſkeene factoᵗſ at Campheir Redd in pliament and Remitted to the Comittee of moneyes to conſidder of ſum way of payment of þe ſowmes þᵗin ꝓteinit & report to the parliament

SUPPLICAᵒNE peter abrenſſ Redd & remitted to the ſame comittee wᵗ the ſame qualitie

SUPPLICAᵒNE Roᵗ murrey of buchantie Remitted to the Lordſ Cranſtone humbie Toftſ Clerkington & bromehall or any three of thame to ceitt the ptie & diſcuſſ the reaſon

HIS Mãtie & parliament Grantſ the Lyk comiſſione anent the ſuſpenſione betuix bowſie & Inuermay

SUPPLICAᵒNE E/ Callander & Elſpeth kellock Remitted to the V/ Arbuthnot Caverſ and Sʳ Roᵗ ferqʳ to heir & report

SUPPLICAᵒNE Anna keith Redd & the pteis intereſſed ordaned to be ceitted to compeir befor þe pliament or Comittee of eſtaittſ wᵗ pooer to the Comittee of eſtaittſ to determein þᵗin incaice the pliament be not ſitting

ORDANES the place of meitting for the noblemen to be the waiterſ rowme in the court, the barrones the parliament hous the burrowes the toun councell hous

ORDANES the comittee for moneyes to meitt preſentlie the ſeverall bodyes at tuo efternun the Comitteeis for the cariage & officiarſ of þe armie at 4 hourſ and the parliament the morrow at 8 in the morning

XXX MAII.

[MINUTES]

Penult Maij 1651 7ª dies parl.

DOMINO REGE PRESENTE

Prayerſ heard and Rollſ callit

SUPPLICAᵒNE Joⁿ wilſone & Johne fergusſone & certane vtherſ witneſſ ſumond from glaſgow to depone craveing þʳ expenſſ Redd and the parl. modifies to the horſman a doller & to the foottman halff a croun and ordanes thoiſ who ar dealleſ to ſattill the pteis to eaus the ptie who ſumond the witneſſ pay þʳ expenſſ at this raitt ſince þʳ coming from home, & incaice they faill that lres be direct to chairge thame for þᵗ effect at þe proportione forſaid

SUPPLICAᵒNE ſerjant dauid foord Redd and the ſupplicant ordaned to haue the benefeit of þe act & recomendit to the Comittee of war off fyff to mak the ſame effectuall to him

ACT anent ſecureing of religione and work of reformaᵒne being Redd & Remittſ to the Comittee for þe conference to confer wᵗ the Comiſſionerſ of the geⁿˡ aſſemblie anent the tuo clauſſ markit wpoun the margein of þe act

ORDANES the Conference to meitt at 3 efternun and the parliament to meitt at 4 efternun

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

ACT anent ſecureing Religione and work of reformaᵒne Redd voyced and paſt in parliament

THE forme of the band relative to the forſaid act lykwayes Red voyced and paſt in pliament

HIS Mãtie and parliament Ordanes the L/ Balfarg To give wp preſentlie to the geⁿˡ comiſſʳ ane lift of all that ar deficient in laying in of thair meall in the ſhyre of fyff, And to give in a report of the obſervaᵒnes obſrved wpon his compt at perth

HIS Mãtie and parliament ordanes thoiſ of the gariſone of Bruntyland To pas and quarter wpoun the deficientſ in fyff ſhyre who haue not layed in þʳ proportiones of meall in Bruntyland

HIS Mãtie and parliament declarᵉ the eight monthes mentenance Impoſed wpoun the ſhyres benorth ſpey to be by and attoʳ any vther Impoſitiones or mentenance or publict dues Impoſed wpon the ſaidᵉ ſhyres, and declarᵉ thair is no allowance due be the fᵉᵈ ſhyres for thoiſ monthes ather in the monthᵉ mentenance Impoſed for defraying the comiſſionerᵉ charges from holland nor for the half month for coronaᵒn nor the month for his Mãties hous

HIS Mãtie ꝛ parliament Grantᵉ Comiſſione To the L/ Brody L/ Innes ſhireff murrey Johne hay of knokandie ꝛ Mʳ Johne hay comiſſʳ of elgyne to Hold court and do iuſtice wpoun James ſmyth ꝛ Jeane cuming his wyffis ſifter who have confeſt the ſin of inceſt and to the ſame Judges to hold court ꝛ tak tryell of margareat Innes ſuſpect of murther ꝛ to report qᵗ they find of hir to thè parliament or comittee

A PAPER givin in be thoſ ſent from the Comiſſionerᵉ of the geⁿ aſſemble ꝓteaning thair anſʳ to the demandᵉ givin to thame be the pliament Redd ꝛ remitted to the bodyes, and they to conſidder ꝓʷᵗ what is fitt to be done in relaᵒne to the act of claſſes and appoyntᵉ tuo of evrie eſtaitt to draw a narrative of ane act reſciſſorie ꝛ bring in any overturᵉ concerning that act whairwpoun the noblemen nominat E / Caſſillᵉ L/ mordingtoun The barrones nominat humbie and keath the burrowis nominat Sʳ Joⁿ ſmyth James ſword to meitt prefentlie

[ANSWER by the Commiſsioners of the Generall Aſsembly to the Parlᵗˢ Queerees.

Perth 24. Maij 1651.

THE Comiſsion of the Generall Aſsembly Having propounded to them by the Kings Mãtie and the honoᵇˡᵉ Eſtates of Parlᵗ vpon the nynteen day of March 1651. This Quere

WHITHER or not it be ſinfull and vnlawfull for the more effectuall proſecution of the publick resolutiones, for the defence of the cauſe, of the King and Kingdome, to admitt ſuch persons to be members of the Comittee of Eſtates, who are now debarred from the publick truſt, they being ſuch as have ſatiſfied the Kirk for the offence for which they wer excluded, and are ſince admitted to enter in Covenant with ws.

LYKAS having receaved from his Mãtie and the Eſtates of Parlᵗ vpon the third of Apryl 1651. a letter bearing date at Perth the laſt of March 1651. Expreſsing a deſire of a more ample reſolution in relation to the perſones debarred from the publick trust viz.

THAT his Mãtie and Eſtates of Parlᵗ being desireous that all grounds of miſvnderſtanding among the ſubjects of this Kingdome be removed, and that ther may be ane heartie and vnanimous concurrence in the defence therof against the cõmon enemy, and for that end that the acts of claſses (which are conceaved to be a great obſtruction in the way of that vnanimity, which wer ſo neceſsary at this tyme of ſo great and cõmon danger to all) may be taken away and reſcinded: Do intreat most earneſtly a meeting of the Comiſsion may be called, to be at Perth the ſevintin of Apryle, that after a dew conſideration of the acts and declarations emitted by the Church and the other grounds contained in the narrative of the mentioned acts of claſses, in ſo farre as conſcience can be concerned therin: His Mãtie and Parlᵗ may have a poſitive anſwer not only to the laſt Quere in the termes wherin it was propounded: But lykwayes have their cleare and deliberat Judgment and reſolution, if it be ſinfull and vnlawfull to repeale and reſcind the acts of claſses, which apparently wold tend to vnity.

AND having receaved from his Mãtie and the Comittee of Eſtates vpon the 23 of Apryle a letter bearing date at Dumfermling the 19th of Apryl 1651. with all earneſtnes renewing their former deſire, that the Comiſsion wold give a cleare and poſitive anſwer to the Quere formerly propounded, vnto the Parlᵗ to be keeped at Sterling or elſe wher as ſhall be thought fitt the 21. of May Doeth humbly returne this anſwer.

THAT leaſt any aſperſion ſhould be caſten vpon ws, of incroaching vpon, or intruding our ſelfes into the office of the civill power and authority, We declare that we do not aſsume to our ſelfes, and that it is not competent to ws but only to the King and Parlᵗ, to make or repeale acts of Parlᵗ: And therfor that as the Comiſsion of the Kirk had not hand in making of the act of claſses, ſo nether do we take vpon ws to determine the keeping vp or reſcinding and repealing the ſame Yet being Required by his Mãtie and the Eſtates of Parlᵗ to give our Judgment and advyce in poynt of conſcience Whither or not Conſidering the grounds contained in the narrative of the act of claſses, viz. The ſolemn League and Covenant, the ſolemn acknowledgment of ſinnes and engagment, Declarations emitted by the Church, and the engagment and promiſe made by the Comittee of Eſtates to the Kingdome of England; It be ſinfull and vnlawfull to admitt to be members of the Comittee of Eſtates, perſones formerly debarred from the publick truſt; or to reſcinde and repeale the acts of Claſses: We declare That as for any engagment or promiſe made vnto the Kingdome of England concerning not admitting vnto places of power and truſt, perſones acceſsory to the ſinfull engagment againſt that Kingdome; We know nothing of the nature or grounds therof, And therfor leaves it to the Eſtates of Parlᵗ themſelfes to conſider how it

does oblidge or not oblidge in the preſent condition of affaires in theſe Kingdomes. But as for the ſolemn League and Covenant, and ſolemn acknowledgment and engagment and former Declarationes; We do find that they do not particularly determine any definite meaſure of tyme of excluding perſones from places of truſt, for bypaſt offences: But only binds and oblidges condignly to puniſh offenders as the degree of their offences ſhall require or deſerve, or the ſupream Judicatory of the Kingdome or others having power from them for that effect ſhall Judge convenient; to purge all Judicatories and places of power and truſt, and to endeavour that they may conſiſt off and be filled with ſuch men as are of known good affection to the cauſe of God and of a blameleſſe and Chriſtian converſation (which is a morall dewty comanded in the word of God and of perpetuall obligation) ſo that nothing vpon the accompt of theſe grounds doeth hinder, but that perſones formerly debarred from places of power and truſt for their offences, may be admitted to be members of the Comittee of Eſtates, and the cenſures inflicted vpon them by the acts of claſſes, may be taken off and reſcinded without ſin by the Parl^{t} (in whoſe power it is to lenthen or ſhorten the tyme of ſuch cenſures according as they ſhall find Juſt and neceſsary) provyding they be men who have ſatiſfied the church for their former offences, have renewed or taken the Covenant, and be qualified for ſuch places with the qualificationes required in the word of God and expreſsed in the ſolemn acknowledgment and engagment viz. that they be men of knowen good affection to the cauſe of God, and of a blamleſse and chriſtian converſation which ought alwayes carefully to be obſerved and made conſcience off, tho ther wer no ſuch act of Claſses; to the effect that no perſones get ſuch power and truſt put in their hands as may be prejudiciall to the cauſe of God

A Ker

Penultimo Maij 1651.

Red & remitted to be takin in conſidera^{o}n be the ſeverall bodeis w^{t} q^{t} ſhall be done in rela^{o}n to the act of claſſ^{s}]

. . . . . .

ANE vther paper ꝓteaning the reaſones of a ſolemne faſt to be keepit be the army befor þ^{r} marching Redd and approvin

A PAPER anent the three regiment^{s} cum from fyff Remitted to be conſiddered be L^{d} balcarras Toft^{s} & proveſt of ſtirling and they to meitt w^{t} the ge^{ll} officiar^{s} and lay doun ſum courſ^{e} þ'anent and determein þ'in

SUPPLICA^{o}NE M^{rs} of the hoſpitall of ſtirling Redd & remitted to the Ld Cranſton Humbie Toft^{s} clerkington & bromhall to heir the ꝑteis & diſcuſſ^{e}

HIS Mätie and parliament Ordanes the Comittee for the manageing of the army to ſitt and diſpenſ^{e} þ'w^{t}

OVERTURIS anent the marking of voyces in ſubalterne Judicatories Remitted to the ſeverall bodyes

ORDANES the comittee to meitt preſentlie and the pliament the morrow at eight hour^{s}

ORDANES the haill meall w^{che} is at Ravinſheuch belonging to the publict to be tranſported from thence to Bruntyland

. . . . . .

ACT ffor ſecureing of religione and þe wark of reforma^{o}ne

AT STIRLING the penult day of Maij 1651 Our Soveraigne Lord and eſtates of parlia^{t} Haveing in the laſt ſeſſione of parlia^{t} at Perth the 19 of March 1651 Proponed To the comiſſionars of the gñall aſſembly This following Quere, viz quhether or not it be ſinfull & vnlau^{ll} for the more effectuall proſequ^{o}ne of the publict reſolu^{o}nes for the defence of the caus of the King & kingdome To admitt ſuch perſones To [be] members of the comittie of eſtates Quho ar now debared frome publict truſt, They being ſuch as have ſatiſfied the church for the offence for wch þai wer exclooded, And ar ſince admited to enter in covenant w^{t} ws, Lykas haveing vpone the [laſt] of March 1651 Sent ane Letter to the comiſſione of thè gña^{ll} aſſembly Expreſſing a deſyre of a more ample reſolu^{o}ne In rela^{o}ne to the perſones debared frome publict truſt viz þ^{t} his Matie & eſtates of parlia^{t} Being deſyrous þ^{t} all grounds of miſvnderſtandings amongeſt the ſubiects of þis kingdome be removed And þ^{t} þ^{r} may be ane hairty & vnanimous concurrence in the defence þ^{r}of againes the comone enemie, And for þ^{t} end þ^{t} the acts of claſſ^{e} (wch ar conceaved to be a great obſtructione in the way of þ^{t} vnanimity, wch wer ſo neceſſ^{r} at this tyme of ſo great & comone a dainger) may be takin away & reſcinded Doe Intreat moſt earneſtly a meiting of the comiſſione may be called to be at perth the 17 of Apryle þ^{t} after a due conſidera^{o}ne of the acts & declara^{o}ns emited by the church, And the vther grounds conteined in the narratives of the men^{o}nat acts of claſſ^{e} In ſwa far as conſcience may be concerned þ'in His Matie & parlia^{t} have a poſitive anſ^{r} not only to the laſt quere in the termes q'in it wes proponed, Bot have lykways þ^{r} cleir & deliberat iudgement & reſolu^{o}ne If it be ſinfull & vnlau^{ll} to repeall & reſcind the acts of claſſ^{e}, wch apparently will tend to vnity And it being now in þis parlia^{t} Humbly deſyred by the ſ^{d} comiſſione before þai geive in any iudgement concerneing the aforeſ^{d} queſtions þ^{t} the particulars after following offered 2

be þ^m be inacted in parlia^t as neceſſ^r for the ſecurity of religione [and] the work of reforma^one, And perſones q° have bein ſtedfaſt in the covenant ⁊ caus, and as agrieable to the former grounds ⁊ principallis, wch aucht to be inviolably obſerved, And our Soveraigne Lord and eſtates of parlia^t Haveing takin the ſame to conſidera^one They doe Ratifie ⁊ approve all lawes ⁊ acts of parlia^t wch ar for eſtabliſhing, ⁊ promoveing of religione the work of reforma^one, Eſpecially ſuch as have bein ſince the ȝeir 1648 for þ^r effect And declairs þis gñall ratifica^one þ^of w^tout the particular enumera^one of the ſame To be alſ valeid ⁊ ſufficient as if þai wer particularly ſett doune heirin, And Ordanes the ſame to be neceſſ^r for the good ⁊ ſecurity of religione the work of reforma^one ⁊ perſones q° have bein ſtedfaſt in the covenant ⁊ caus vpone former grounds To ſtand vnrepealable in all tyme cuming Lykas our Soveraigne Lord ⁊ eſtates of parlia^t Ratifeis ⁊ approves the act of parlia^t of the date the 17 of feb^r 1649 Intitulat Act for keiping of iudicatoreis ⁊ places of truſt frie of corruptione In all the heads ⁊ articles þ^of Ordaneing the ſame to be inviolablie obſerved ⁊ keipit as a perpetuall law in all tyme cuming As alſo our Soveraigne Lord ⁊ eſtates of parlia^t Ratifeis ⁊ approves all places of power ⁊ truſt In the iudicatoreis armeis ⁊ offices of eſtate And ordanes þ^t all q° have bein put in the ſ^d places ⁊ offices ſince the ȝeir 1648, Or q° ar þ^in at this p̃nt tyme ſhall continew þ^in and enjoy the ſame according to thair ſeverall rights þ^to, And conforme to the Lawes of the Kingdome alredy made for þ^t effect Provyding always þ^t þai be anſwereable for any faults comited be þ^m in þ^r ſ^d offices ⁊ places Or wch þai ſhall happin to Cõmitt againes the lawes ⁊ acts of parlia^t, made or to be made in any tyme heirefter Lykways It is ſtatute ⁊ ordaned þ^t any of the p̃nt members of parlia^t now preſently ſiting þ^in or any that ſhall be admited heirafter to ſitt þ^in ſhall never directly nor indirectly ſeek or indevore To repeall any of the lawes And acts of parlia^t foreſ^d As alſo it is farther ſtatute ⁊ ordaned that all perſones q^t ſumevir and everie ane of them þ^t ar exeluded from offices and places of truſt in parliament or elſ q^r, and who haue beene or ſhalbe admitted heireſtir aither to ſitt in parliament or to þe exerciſe and enjoyment of þ^r office and place of truſt or power ſhall give band to the eſtait^e of parlia^t they being ſitting or to ſuch as ſhalbe authorized by the eſtait^e of parlia^t in the intervall of parlia^t for þ^t effect That they ſall nevir directlie or indirectlie ſeik or indevore to repeall any of the forſaid^e lawes and actis of parlia^t and that they ſhall nevir directlie or Indirectlie ſeik to reveng þ^m ſelfis any way vpon any man for oppoſeing þ^m in þe ma^r of the ſinfull engadgment or for oppoſeing þ^m or cenſureing þ^m for any malignant courſ q^t ſum^r and þat they ſhall not at any tyme quarrell nor Indevore to alter any of the ſaid^e offices and places of truſt or power as they ar p̃tlie poſſeſt according to þe ſeve^ll perſones þ^r ry^t^e þ^off contrair to this p̃nt act of parliament w^t certefica^one þ^t if any of the forſaidis perſones formerlie excluded as ſaid is and who are alreadie admitted or who ſhalhappin to be admitted heireſtir aither to ſitt in parliament or to the exerciſe and enjoyment of any office or place of truſt or power ſhall faill heirin and doe in the contrair heirof and that the ſame being fund and declaired be the parliament or Cõmittie of eſtait^e at leiſt ane thrid þt of the number of the memberis of the ſaid Cõmittie being p̃nt and the pairtie complained vpon being cited to Compeir befoire the ſaid Comittie vpon Twentie ane dayes frie if he be w^in the kingdome and thrieſcoire dayes if he be w^tout or be the privie counſall the major pt þ^r off being preſent And þ^r being Cõmiſſioune ſtanding for a Cõmittie of eſtait^e the pairtie lykewayes complined vpon being cited vpon the ſame frie dayes as befoire the Cõmittie of eſtait^e That they be declaired aganis in ſo doeing as malignant^e and returneris wnto þ^r former ſinfull wayes and ſhall amitt and loſ þ^r Capacitie of ſitting in parliament or of enjoying of any vther office or place of truſt or power q^r in they are for the tyme and ſhalbe þ^r eſtir removed þ^r fra and the place to be declaired voyd and to be filled conforme to the lawes of the kingdome

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XXXI MAII.

[MINUTES]

Vltimo Maij 1651 8^a dies parliam.

DOMINO REGE PRESENTE

Prayer^e heard and roll^e callit

ACT anent the ingaddering of mentenance and vther publict dues Redd and paſt in parliament

SUPPLICA^ONE Ge^ll arteliarie Redd in pliament and the King ⁊ parliament Ordanes the hous of Ravinſheuch to be delyvered to the Ld Sincklar owner þ^off, and the parliam. Remitt^e to his M̃atie to call the ge^ll officiar^e and conſult w^t thame what is to be done anent the making of any moir peices of ordnance and Remitt^e to the Comittee of money to tak courſ for the ſupplicant^e ſatiſfac^on of ſo muche as he want^e

HIS M̃atie and parliament Hes Ordaned that evrie man to q^m the book of loane money ſhalbe preſented ſhall ſubſcryve what he is to len or that he will not len any and if he refuis to ſubſcryve any of the tuo, that the commiſſioner preſenter of the book report the ſame to the parliament or Comittee

HIS M̃atie ⁊ the parliament find^e that the Erle of dumfermlein comes not wnder the compas of thoiſ

who aught to ſubſcryve the band anent ſecureing of religione and work of reforma°ne

SUPPLICA°NE Mr James blair remitted to the Lord^ſ Humbie Cranſton Toft^ſ clerkington Bromehall or any tuo of thame to heir the pteis ꝛ diſcuſſ^r the reaſones

HIS Mãtie ꝛ parliament addis to the Comittee of Greevances the ge^ll officiar^ſ and gives thame pooer to puniſh delinquent^ſ, and further addis the Laird^ſ of Blakhall Greenock and Maner and Jo^n ſemple to the f^st Comittee, the L^d of Greenock to be conveiner, and ordanes thame to meitt on monday at ten houres and that lres be wreattin to the abſent^ſ

SUPPLICA°NE Malcome Johneſtoun Remitted to the Cõmittee of war of the ſhyre

SUPPLICA°NE Comittee of war of the ſhyre of ſtirling Redd ꝛ remitted to the Comittee for proviſione of the army

A PETITION conteaning certane deſyres givin in to thoiſ^ who wer ſent from the Comiſſioner^ſ of the ge^ll aſſemblie Redd in pliament The L^d prefident in name of his Mãtie and parliament did returne thame hartie thank^ſ for þ^r cair ꝛ vigilance in giving ſo tymous adverteiſment, and appoynt^ſ the committee who wer wpon the conference to meitt w^t ſum of the Comiſſioner^ſ of the ge^ll aſſemblie anent the putting of þe deſyres in execu^n, To meitt on monday at 7 in the morning

SUPPLICA°NE Cap. Dauid alexander Redd in parliament ꝛ Comiſſion Granted to the Ld Benholme ꝛ Patrick ſmith to mak inventar of the good^ſ ꝛ delyver the ſame to the ownert they finding ſufficient caw°ne to mak the good^ſ furtheumand to all pteis haveing entereſſ þ^to as accord^ſ of the law

THE act of parliament of the 4 of de^r 1650 anent the diſchargeing of exemptiones for payment of meall Remitted to be conſiddered be the ſeverall bodyes

HIS Mãtie and the parliament Ordanes tuo of evrie eſtaitt to be named be the bodyes to reveiſ ꝛ conſidder the haill act^ſ of þe Comittee of eſtaitt^ſ, and in pticular the act betuix the E^d carnewath and his ſone ꝛ report, The noblemen nominat E^d Roxburgh V^d arbuthnot Barrones nominat Luſſ ꝛ ſtrathurd Burrowis nominat Jo^n forbes ꝛ Walter Lyell

REMITTIS to the Comittee for the militarie effair^ſ to conſidder how the men who ar comyng wp to bruntyland out of Dundie ꝛ S^t Jo^nſtoun ſhalbe interteaned, and alſ to tak the conditione of þe f^st toun ꝛ gareſone of bruntyland in conſidera°n and q^t is neceſſ^r þ^foir and for interteaning of þe garieſone

SUPPLICA°NE Toune of culroſſ Redd ꝛ paſt

ORDANES the ſeverall bodyes to meitt at tuo efternun and the parliament to meitt at fyve

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayer^ſ heard and roll^ſ callit

SUPPLICA°NE Comittee of war of ſtirlingſhyre Redd ꝛ his Mãtie and parliament Ordanes a Comittee of tuo of evrie eſtaitt to be named be the bodyes to meitt and tak the former bill givin in to the pliament ꝛ remitted to tham in conſidera°ne

SUPPLICA°NE Ge^ll Maior Mongomrie Redd ꝛ granted paſt w^t reſ^rva°ne to the L^d machlene of his proportione due to him conforme to former act^ſ of comittee of eſtaitt^ſ

REMITTIS the ſupplica°ne givin in be Alderman bunſh to the Comittee of moneyes w^t pooer to thame to ſpeik w^t his Mãtie and determein, and lykwayes to conſidder of the payment of the money givin out be Thomas cunynghã for his Mãties horſſ ꝛ determein þ^anent

SUPPLICA°NE herito^r^ſ of Rainfrew Redd ꝛ paſt

SUPPLICA°N the tenent^ſ of Kilſyth Redd ꝛ Remitted to ane Comittee to be choyſin of tuo of evrie eſtaitt to be named for the bill for ſtirling ſhyre

SUPPLICA°NE Lady ſemple Redd ꝛ cita°ne granted to warn the de^r to comp befoir the pliament or comittee w^t pooer to determyne þ^in

SUPPLICA°NE Co^ll Thomas home Redd ꝛ remitted to the Comittee appoynted to conſidder of the ſupplica°n givin in be the ſhyre of ſtirling

SUPPLICA°NE Alex^r dryſdaill Redd w^t the report þ^wpoun approvin

SUPPLICA°NE Liveten. Allan oſburne Redd ꝛ recomended to the collecto^r of the loane money from the muſtre to give him fyve pond ſterling

ORDANES the Conference to meitt on monday at ſevin hour^ſ and the parliament at eight

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ACT for chairgeing the Collecto^{r} of manteinanee for payment thairof To the generall Cõmiſſ^{r}

3 AT STIRLING the [laſt] day of Maij J^{m} vj^{c} and ffiftie ane yeiris Our Soverane Lord and eſtait^{t} of parliament now p̃tlie conveened in this eight ſeſſioun of this ſecund trienniall parlia^{t} Haveing heard ane deſyre from the Cõmittie of moneyis Beareing that the Cõmittie of moneyis does humblie repreſent to the King^{t} Mãtie and eſtait^{t} of parliament That in reſpect of the many and ſeverall objectiones they meit w^{t} q^{ll} they call for ane accompt of the manteinance and vther publict dewes Impoſed vpon the ſaid ſeverall ſchyres of this Kingdome fra the collecto^{r} ^{t} p^{r}off alledgeing them not to be lyable to give in or compt for any publict dewes vplifted be p^{m} out of p^{r} ſeverall ſchyres to any bot onlie to the Cõmitties of the ſchyres be q^{m} they wer admitted Thairfore it is p^{r} humble opimione That lres of horneing vpon ſex dayes at the gñall Comiſſ^{r} his inſtance may be direct aganis all Collecto^{r} officer^{t} or Intrometto^{r} ^{t} w^{t} any publict dewes q^{t}ſumevir aither in bur^{t} or land Impoſed or to be Impoſed for exhibiteing and produceing the accomptis of the ſaid^{t} publict dewes That p^{r}by it may be knowin q^{t} is reſtand p^{r}off As the ſaid deſyre doeth beare q^{ll} being takin into conſidera^{c}ne be our ſoverane lord and eſtait^{t} of parliament They ffind the deſire juſt and reſſõ^{n} And thairfore doe ordaine lres of horneing to be direct vpon ſex dayes at the gñall Cõmiſſ^{r} ^{t} inſtance aganis all Collecto^{r} ^{t} of or Intrometto^{r} ^{t} w^{t} publict dewes q^{t}ſum^{r} aither in bur^{t} or land Impoſed or to be Impoſed for exhibiteing and produceing the accomptis of the ſaid^{t} publict dewes To the effect it may be knowne what is reſtand

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II JUNII.

[MINUTES]

Secundo Junij 1651 9ª dies parliam.

DOMINO REGE PRESENTE

Prayer^{t} heard and Roll^{t} callit

ACT declairing the Kingis Mãtie to be of perfytt and lawfull age of 21 year^{t} compleit Redd voyced and paſt in parliament

SUPPLICA^{o}NE W^{m} baxter Redd ^{t} the ſupplicant ordaned to have the benefeit of p^{e} former act of pliament

SUPPLICA^{o}NE George Haldane Redd ^{t} remitted to the Lord^{t} Cranſtone humbie Toſt^{t} clerkingtoun ^{t} bromehall or any 3 of thame to warne the pteis and determeine

ACT Reſciſſorie of the Act^{t} of claſſ^{is} Redd voyced and paſt in pliament and ordanes the former act maid for ſecuritie of religion ^{t} worke of reforma^{c}n and this to be proclamed at the mercat croce of Stirling

HIS Mãtie and parliament Ordanes a recomenda^{c}n to be ſent to the toun of perth for ſending wp of p^{r} men to Bruntyland

ORDANES the nixt meitting of parliament to be at three efternun

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayer^{t} heard and roll^{t} callit

EFTER calling of the roll^{t} the E^{r} Glencarne pteſted that the calling of the E^{r} of Eglintoun befoir him in the roll of pliament ſhould no wayes preiudge him in the ry^{t} of prioritie of ſitting ^{t} voyceing in parliament ^{t} p^{r}wpõ aſkit inſtrument^{t}

THE act anent the ſecureing of religione and work of reforma^{c}n ^{t} the band relative p^{r}to Redd in pliament, and the band ſigned be . . . . noblemen laitlie com *to the pliament, quha lykwayes took the [oathe] of parliament it being Redd to thame*

HIS Mãtie and parliament adjoynes the L^{r} advocatt to the Comittee appoynted for reveiſing of the act^{t} of the comittee of eſtaitt^{t}, and ordanes thame to tak tryell if the Erle of carnewath hes bein excludit and if he hes bein excludit if he [hes] ſatiffeid the kirk Ordanes him not to repair to the parliament till the report

HIS Mãtie ^{t} parliament Gives pooer and warrand to the Laird^{t} of Johnſton nauchtoun Sr James murrey S^{r} Ro^{t} ferq^{r} Andro Glen and George gardyne To caſt the baggage horſſ proportionallie in p^{e} ſeverall ſhyres ^{t} report to the parliament

SUPPLICA^{o}NE noblemen and gentilmen w^{t}in the ſhyres of Air and Rainfrew Redd in pliament ^{t} the act formerlie granted to ge^{ll} Maior Mongomrie ordaned not to be extracted till further ordo^{r} ^{t} and ordanes on of evrie eſtaitt to be named be p^{e} bodyes to waitt wpon the Kingis Mãtie And to heir the pties intereſſed

SUPPLICA^{o}NE Counteſſ^{is} of Airth Redd ^{t} remitted to the Comittee for reveiſing of the act^{t} of p^{e} comittee of eſtaitt^{t} and ordanes thame to think wpoun ſum way how the deſyre of the ſupplica^{c}ne may be maid effectuall

REMITTIS to the ſeverall bodyes to conſidder what Comitteeis or Comiſſioneris ſhall be thᵒ fitt to be appoynted for þe intervall of parliament ꝛ thair pooer, and how ſone the parliament may adiurne and to what tyme, to the effect the parliament may be broght to a cloſoʳ ſo ſone as poſſibill can be ꝕvenientlie

THE noblemen addis To the Comittee for reveiſing the actꝭ of þe comittee of eſtaittꝭ ꝛ the E/ carnewathes buſſienes the V/ newburgh The barrones addis L/ toftis, the burrowis addis Mʳ Alexʳ douglas

COMMITTEE for conſiddering the number of Comitteeis or comiſſiones in the intervall of parliament, D/ Hamiltoun E/ Lawderdaill, L/ balcarras Barrones nominat Humbie keath nauchtoun, the burrowis Sʳ Joⁿ ſmyth James ſword Hew Kennedy

HIS Mãtie ꝛ parliament addis the V/ of arbuthnot to the comittee appoynted for reveiſing of the bookꝭ of the comittee for the effairꝭ of þe armie

THE noblemen nominat for thame to be wpoun the Comittee for the bill givin in be the ſhyre of ſtirling ꝛ the tenentꝭ of kilſyth The E/ caſſillꝭ ꝛ dunfermlein, the barrones addis Glenkindie ꝛ ardblair Johne ſhort and wᵐ walker

ORDANES the comitteeis to meitt preſentlie, the Comittee of moneyes the morrow at ſevin hourꝭ the parliament at nyne

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4 ACT declaring the Kingis Majeſtie to be of perfytt and lawfull age

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ACT Reſciſſory of the acts of claſſ

5 AT STIRLING the ſecund day of Junij 1651 geirs Our Soveraigne Lord ꝛ thre eſtates of parliaᵗ now pũtly conveined In þis eight ſeſſion of þis ſecund trienniall parliaᵗ Conſiddering the great obligaᵒns lying vpon þᵐ from the laws of god ꝛ nature to mak vſe of all neceſſary ꝛ lauⁿ meins, In diſcharge of þʳ dueties for religion king ꝛ kingdome againes the comone enemie Quho contrary to all laws divyne ꝛ humane, the league ꝛ covenant ſolemnely ſworne by both kingdomes, þʳ proteſtaᵒns ꝛ vowes to god, þʳ allegiance to his ſacred Maieſty ꝛ treties wᵗ þis kingdome Have moſt perfidiouſly ſubverted religion, murthered oʳ ꝛ thair lauⁿ king diſclamed his Ma/ auctie, Invaided þis kingdome, ꝛ deſtroyed many of his Ma/ good ſubiects wᵗin the ſam, And conſiddering þᵗ the taking aff the incapaciteis ꝛ the marks ꝛ caracters of diſtruſt contened in the acts of claſſ, ꝛ vthers acts afterſpẽit wold be a redy mein of vneiting ꝛ ſtrenthining the kingdome to concur togither in counſell ꝛ actione, in proſequᵒn of the publict reſoluᵒns for the ſaifty of religione, the preſervaᵒn of his Ma/ perſone ꝛ auctie, ꝛ the releif of þis ancient ꝛ vnconquered kingdome And þᵗ his Ma/ ꝛ eſtates of parliaᵗ Have by þʳ aet of the date the penult of Maij 1651 After advyſe had wᵗ þe comiſſione of the gñall aſſembly Provyded for the ſecurity of religion work of reformaᵒn ꝛ perſones quho have bein ſtedfaſt in the covenant ꝛ caus, Have þfore thought fitt to reſcind ꝛ annull Lykas oʳ ſoveraigne lord ꝛ eſtates of parliaᵗ After mature advyſe ꝛ deliberaᵒn doe heirby reſcind ꝛ annull in all tyme cuming, The act of claſſ of the 8 of Januar 1646 And the vther act of claſſ of the 23 of Januar 1649 In the quholl heads articles ꝛ clauſſ þof And lykways oʳ ſoveraigne Lo/ ꝛ eſtates of parliaᵗ Reſcinds ꝛ annullis all ꝛ qᵗſomever vther acts comiſſions treteis or ordoᵒꝭ of parliaᵗ or comitty of eſtates made ſince auguſt 1648 And þᵗ in ſo far allanerly as by the ſdꝭ vther acts comiſſions treteis or ordours of parliaᵗ or comitty of eſtates any incapacity baniſhment or reſtraint is laid vpon any of his Ma/ ſubiects of þis kingdome Qᵘᵏꝭ actis oʳ ſov: lord ꝛ eſtates of parliaᵗ Holds as verbatim heirin inſert And declairs all ꝛ every ſuch perſone or perſones quho wer formerly ſeclooded frome places of publict truſt or power by the ſdꝭ acts or any of þᵐ to be capable of publict truſt ꝛ power ꝛ to be frie of all incapaciteis reſtraints ꝛ baniſhments qᵗſomever þai wer lyable vnto þʳby alſ fully in all reſpects as þai wer before the making of the ſdꝭ acts or before þʳ wes any ground or occaſion for the making þʳof It is always provyded ꝛ declaired þᵗ non be admited to places of power or truſt bot ſuch quho have or ſhall have ſatiffied the church for þʳ former offences ꝛ renewed or takin the covenant ꝛ be qualified for ſuch places wᵗ the qualificaᵒns requyred in the word of god And expreſſed in the ſolemne aeknowlegment ꝛ engagement viz þᵗ þai be men of knowin good affection to the caus of god ꝛ of a blaimles ꝛ criſtian converſaᵒn wᶜʰ ought always cairfully to be obſerved ꝛ mead conſcience of To the effect þᵗ no perſones get ſuch power ꝛ truſt put in þʳ hands as may be preiudiciall to the caus of god And this is alwayes But preiudice of the act of parliaᵗ of the penult of Maij 1651 for ſecureing of religion the work of reformaᵒn ꝛ perſones quho have bein ſtedfaſt in the covenant ꝛ caus, And wᵗout preiudice alſo of the act of the 17 of febʳ 1649 Intitulat act for keiping the iudicatoreis ꝛ places of truſt frie of corruption Qᵘᵏꝭ acts ar to ſtand in force conforme to the tennours þʳof And ſicklyk Reſerveing all decreits of forefaultoᵒꝭ or fynes ſtanding againes any perſones be vertew of the ſaids acts And all rights made be the parliaᵗ or comitty of eſtates to any perſon or perſones þʳvpon As accords of the law

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III JUNII.

[MINUTES]

Tertio Junij 1651 10ª dies parliam.

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

GENERALL Major Roᵗ mongomrie in name of the E/ Eglintoun farther proteſted aganes the proteſtaᶜᵒne maid the 2 of this inſtant be þe E/ of Glencairne aganes the calling of the E/ of Eglintoun in the rollſ of parliament beſoir the E/ of Glencairne ꝛ þ'wpoun aſkit inſtrumentſ

THE E/ of Callander proteſted that the calling of the E/ of Levin beſoir him in the rollſ of parliament may not preiudge him of his ryᵗ and dignitie of prioritie of plaice in ſitting and voyceing in pliament beſoir the fᵈ E/ of Levin ꝛ þ'wpoun aſkit inſtrumentis

THE Erle off Levin proteſted in the contrar ꝛ þ'wpō aſkit inſtrᵘᵗſ

THE band for ſecureing Religione ſubſcryved by the Erles of Wigtoun annandaill and Callender Lordſ Lindoris and beilheavin

THE oath of pliament takin by thoiſ in pliament who had not takin the ſame formerlie

REPORT from the Comittee of moneyes anent Alderman Bunce Redd and approvin in pliament

REPORT from the comittee concerneing the Erle of carnewath Redd ꝛ His Mātie and parliament findſ be þe report that the Erle of carnewath is fullie reſtored to his honoʳ ꝛ dignitie as Erle of Carnewath, and Remittſ the remanent of the report to the ſeverall bodyes

DRAUGHT of the comiſſione to the comittee of eſtaitſ Redd

THE motione maid in pliament anent the devyding of þe comittee of eſtaittſ Remitted to be conſiddered be þe ſeverall bodyes and alſ anent the pooer of receaving bandſ from ſuche as ar to com in to the Comittee of eſtaittſ

RECOMMENDIT to the geⁿˡ officiarſ to go ſpeedielie to do iuſtice wpoun the three men broght heir be warrand, for abuſing of the woman at Monroſſ

REMITTIS to the bodyes to name tuo of evrie eſtaitt to be added to the Comittee of overturſ The noblemē nominat D/ Hamiltoun M/ argyll The barrones nominat Nauchtoun ꝛ Joᵘſtoun The burrowis nominat andro glen ꝛ Mʳ Joⁿ douglas

REMITTED to the bodyes to think wpō the number of þe Comitteeis

ORDANES the bodyes to meitt at 3 efternun and the parliament at fyve

DRAUGHT of þe Comiſſione for money ꝛ excyſſ ꝛ [accomptis] Remitted to the bodyes

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerſ heard and rollſ callit

SUPPLICAᶜᵒNE Allane tailzeoʳ Redd

THE band for ſecuritie of Religione ſubſcryved by the M/ Douglas E/ Tullibardyne E/ Hartfell

ORDANES a letter to be wreattin for þe Lord cochrane to repair heir wᵗ all diligence, and to Sʳ James Lockhart to ſupplee him till his returne

THE oath of parliament takin by the memberſ of pliament who had not takin the ſame formerlie

REPORT from the Comittee anent the E/ Callendar and elſpeth kellok Redd in pliament and approvin

SUPPLICAᶜᵒNE Coˡˡ forbes of Tolchone Redd and paſt

SUPPLICAᶜᵒNE Comiſſionerſ of the ſhyre of aberdein Redd Ordanes the Comiſſionerſ of þe ſhyre and tuo of evrie eſtaitt to be named be the bodyes to awaitt wpoun the Kingis Mātie the morrow at ſuche tyme as his Mātie ſhall appoynt to tak the ſupplicaᶜᵒne in conſideraᶜᵒn

SUPPLICAᶜᵒNE givin in be Angus M'donnald of Glengarrie Redd and his Mātie and pliament Ordanes citaᶜᵒne to be granted at the ſupplicantſ inſtance aganes all pteis haveing intereſſ. To comper beſor the Comittee of eſtaittſ, To heir ꝛ ſie the foirfaultoʳ reduced, and his Mātie ꝛ parliament gives full pooer to the Comittee of eſtaittſ to determein þ'in according to the lawis of þe kingdome, and as for the bringing out of the men furth of thoiſ ptis Ordanes the Comittee appoynted to attend his Mātie anent the M/ of Huntlies buſſienes to confer wᵗ his Mātie þ'anent

ANE vther ſupplicᵒne at his inſtance being lykwayes Redd anent ſum ſlauchter Cōmitted wᵗin his boundᵉ, His Mātie and parliament Ordanes the ſupplicant to haue citaᵒne granted to him aganes the Comitterᵉ of þe ſlauchter and vtherᵉ acceſſor þᵗto To compeir befor the iuſtice geⁿˡ and his deputtis or any vther Judge ordinar the ſupplicant pleaſᵗ To wnderly the law

HIS Mātie and parliament appoyntᵉ the wholl number of the comittee of eſtaittᵉ to be fourtie of evrie eſtaitt and the quorum to be ellevin qᵗoff tuo of evrie eſtaitt, and the number of þe Comittee for the armie to be ſixtein of evrie eſtaitt qᵗoff the quorum to be ſevin Ane being of evrie eſtaitt, And Ordanes That thair ſhall be of the comittee of eſtaittᵉ tuentie ane preſent quhen they ſelect the Comittee of the Armie

ACT and Comiſſione To the Comittee of eſtaittᵉ Red voyced and paſt in parliament

ACT and Comiſſione for the moneyes accomptᵉ and excyß Redd ᵗ paſt and appoyntᵉ ſevin of evrie eſtaitt to be the wholl number, qᵗoff fyve the quorum on being of evrie eſtaitt

HIS Mātie and parliament appoyntᵉ that all warrands of actᵉ and ordoᵉ of þe ſeverall comittees of eſtaittᵉ ᵗ excyſe be ſubſcryved be the maior part of a quorum at leaſt, and that the memberᵉ of þe comittee ſtay till that be done

REMITTIS the artickles of war to be conſiddered and concludit be the Comittee of eſtaittᵉ

THE noblemen nominat to attend his Mātie for the Mᵗ of Huntlies buſſienes Eᵗ Glencarne ᵗ Lawderdaill The barrones nominat Johnſtoune and Ardblair the burrowis nominat Johne forbes and Mᵗ Alexʳ douglas

ORDANES the Comitteeis to meitt the morrow at ſevin hourᵉ and the parliament at ten, and the Comittee for the reveiſing of the ratificaᵒnes to meitt in the pliament hous

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COMMISSION to the Committee of Estates

6 AT STIRLINE the Thrid day of June 1651 yeires Our Soverane Lord and Estates of Parliament now pūtlie conveened in this eight Seſsion of this Secund trienniall Parliament Being verie ſenſible of the dangerous and diſtreſſed condition of this kingdome And being most deſirous according to the Law of God and nature in diſchairge of thair publict trust To vſe all Lauⁿˡ and neceſsarie meanes for the ſafetie and defence of Religion, his Māties perſone and royal auctie Lawes and Liberties of this kingdome Against ane rebellious Armie of Sectaries who most vnjustlie and perfidiouſlie contrare to the ſolemne League and Covenant and Treaties, Have invaided and by all acts of hostilitie ar deſtroying the ſame, And being now vpone good reaſons To diſsolve and adjorne the Parliament To ane certane day And considdering how neceſsarie it is for the good of Religion and proſecution of all the ends of the Covenant And remeiding the foirſaids evills and all other evills and dangers that may befall, That a grand Cōmittee be Nominat and appoynted by thame of able and weele affected perſons By whois advyſe his Mātie is to governe the kingdome in theſe things which concerne the generall good and ſafetie thairof to the nixt Seſsion of Parliament Doe thairfore Nominat and appoynt [The Lord Duke of Hamilton, The Marques of Huntley The Marques of Douglas, The Marques of Argyll, The Earles of Crafurd and Lindsey Erroll Mariſchall, Rothes, Buchane, Eglingtoñ, Glencairne, Cassillis Atholl Linlithgow, Home Dumfermline Wigtoun Tullibairdine, Roxburghe Kellie Buccleuch Hadington Galloway Annandaill Lauderdaill Louthian Southesk Weemes Dalhouſsie Finlater, Calander Hartfell, Vicount of Newburghe Lords Spynie Lindores Cardros Cranston Balcarres Bargany Balheauen Cochrane and Duffus for the Noblemen, Humbie Colinton, Ormiston, Orbiston, Sʳ Patrick Hamilton Toftis Cavers, Whytsleid, Craigdarroch Newgrange, Lamerton Niddrie, Keath, Innes younger, Lee, Stobbis elder, Harden, Skirline, Carfland Maner Cranston Riddell, Luſe Creich Preston, Vdnie Blackhall, Mouſill, Bogie Strathoord Ardroſe Nauchtane, Johnstoun Barclay fairney Ardblair Broomehall, Riccartoun Drūmound, Thornton Lugton, Carden, Lundie, Durie and Lag elder, for the Barrons, Sʳ Johne Smith Sʳ Williame Dick Archibald Sydſerfe James Rochheid Dauid Wilkie Hew Hamilton Johne Mylne James Monteith Johne Scott, Allexʳ Strang Sʳ Allexʳ Wedderburne Robert Dauiefone Sʳ Patrick Leslie Sʳ Robert Farquhar, Androw Glen, Mʳ Johne Cowan, James Sword James Lentron, James Hamilton James Bell elder, Colein Campbell, George Jamesone, George Gairdine Johne Boswall Robert Whytt, John Lindsey Allexʳ Cunynghame James Peaddie Johne Ochterlony Dauid Spence James Mᶜculloch, Johne Burneſyde Hew kennedy Johne forbes Androw Grant Robert Arnot Allexʳ Bowar, Johne Rutherfourd Dauid Symsone Duncane Nairne Mʳ Allexʳ Douglas and George Moriſone, for the burrowes, As alſo Johne earle of Loudoun Lord Chancellor, The Lord Duke of Buckinghame The Lord Burghlie Preſes of the Seſsion of Parliament, Sʳ Thomas Nicolsone his Māties Advocat Sir Daniell Carmichaell Theʳ depute The Lord Generall, The Lieutennent Generalls The Generall of Artelzearie and The Generall Majors Supernumerarie] To whome or anie Ellevin of thame wherof Two of everie eſtate, is a

Quorum, The Kings Maiestie and the ſaids Estates of Parliament, doe grant powar warrand and Cō-miſsion, To meitt and conveene at ſuch tymes and places as they ſall think fitt, And there to tak ſuch courſe and reſolutions, and to give ſuch orders and directions, in diſchairge of the great truſt cōmitted to thame during the vacance of Parliament as they ſall think neceſsarie and conduceing to the right ordering and governing of the wholl bodie of the kingdome and proſecution of the ends of the ſolemne league and Covenant, And for the better effectuating heirof They ar heirby warranted To give thair humble advyce to his Mātie in his au-thoriſeing Cōmiſsioners, And in the treating and negociating with anie forrane Princes or States, in theſe things, which may concerne The honour iust power and happines of the Kings Mātie and the good of theſe kingdomes And to provyde for Armes and āmunition, And to borrow ſoumes of money from ſuch as will voluntarlie Len the ſame for the ſervice of the kingdome in this caus, and give pub-lict faith thairfore And incaice they ſall find neceſ-ſarie for the ſafetie of the kingdome and proſecution of the Warre To raiſe and keip vp more forces as they ſall think neceſsarie, for the ends foirſaids And to provyde victuall and other neceſſars, To appoynt places of Randezvouiſe and give order for thair quarterings and enterteanment, And for that end to prorogat the mentenance and exciſe (the wholl Cōmittee being firſt tymouſlie wairned to that effect and the thrid pairt of the number being pūt) And by whois advyſe his Mātie is to appoynt ſuch Generall officers and Colonells over thame as ſall be thought fitt, and ar not alreddie named be the Parliament, declairing that the Shyres and burghes ſall have the nomination of the officers of anie for-ces, who ar to be raiſed, wherof they have beene formerlie in poſſeſsion, be order of Parliament, And be whois advyce his Mātie is to diſband the Ar-mies and forces as ſall be thought fitt And to or-dane the foirſaid mentenance and exciſe, as the ſame ſall be prorogat be thame as afoirſaid and all other moneys brought in for the publict vſe To be employed for the vſe of the forces raiſed or to be raiſed And generallie with powar to thame To or-dane diſpoſe and employ all the forces of the king-dome Levied or to be Levied as they ſall iudge fit-test for the ends reſiue abovenominat, And alſo with powar to the ſaid Cōmittee To tak and apprehend or call befoir thame anie ſuch perſons as have in-vaided or ſall invaid the kingdome or ſall mak anie inſurrection to the diſturbance of the peace thairof Or ſall oppoſe or ryſe in Armes against or diſclame his Māties auctie and auctie of his parliament or Cōmittee of estates heerenominat Or who ſall con-cure with aſsist keip intelligence or correſpondence with anie of the ſaids invaiders or ryſers in Armes, And to perſew thame for the ſame, Pronunce ſen-tence and doe iustice vpone thame, according to the Lawes of the kingdome by forfaltour or other-wayes, conforme to thair ſeverall degrees of guilti-nes, and alſ fullie in all reſpects, as the Kings Mātie and Parliament might doe if they war fitting And with powar to thame To call befoir thame all ſuch perſons who ſall not put furth thair Levies and come furth thameſelfes conforme to the acts of Par-liament or Cōmittee of estates, And to puniſh thame accordinglie Lykeas his Mātie and eſtates foirſaids Give heirby powar to the ſaid Cōmittee of estates either by thameſelfes or ſuch of thair num-ber as they pleaſe to authoriſe with cōmiſsion for that effect To redres and puniſh all Greivances and wrongs and oppreſsions Cōmitted or to be cōmitted be ſouldiers, or anie officers against the cuntrey people and other greivances ſpēit in the Act of Parliament of date the fyft day of July 1649 yeires, And to diſcover cenſure and puniſh all officers and other perſons who ſall be found to have takin or heireftir ſall tak money for men horſes armes and baggage horſes Loan or Levey money or for anie proviſions due to be put furth and peyed by the Leiges to the Armies or anie vther publict vſes, With power Lykwayes to thame to give orders To the Cōmittees of warre in Shyres, and to all Collonells Stewarts Baillies and other Magistrats and ſubjects to burghe or Land in everie thing concerning the good and ſafetie of the kingdome, And furder with powar to thame to proſecute the warre everie where against the enemie And with powar to thame in the intervale of Parliament To vſe all Lau^{ll} and *poſsible meanes (according to the Covenant, and to the duetie and alledgeance of* Loyall and faithfull ſubjects) for eſtabliſhment of his Māties governement and poſſeſsion of his other kingdomes, according to his vndowbted right of ſucceſſion, And generallie with power to the ſaid Cōmittee To doe act and order all and ſundrie other things that ſall be fund neceſſar for the good of Religion The honour and happines of the king, The vnion betuix the kingdoms and the peace of this kingdome And for ordering provydeing and diſpoſeing vpone the forces, belonging to the king-dome, And for procureing obedience to his Māties auctie and auctie and reſolutions of the Parliament and Cōmittee of estates, And with power to the ſaid Cōmittee To governe the wholl bodie of the kingdome alſ fullie and frielie in all reſpects as anie Cōmittee of eſtates or anie deligat power or iudi-catorie ſubordinat to the Parliament can Laūllie doe Excepting heirfrae the Cōmiſsion for the privie Counſell The iudicatorie of Seſſion, the Cōmiſsion for the Thērie The Cōmiſſion for exciſe moneys and regulating of accompts The other iudicatories eſta-bliſhed be the Lawes of the kingdome, Which ar heirby reſerved and declaired To ſtand in the *full* force thairof Notwithſtanding of this pūt cōmiſsion, And with power to the ſaid Cōmittee either in whole or be ſuch of thair number as they ſall think fitt To waitt vpone his Mātie and the Armie as a Cōmittee of estates for the end and to the effect

foirſaid vpone all occaſiones as they ſall find expedient for the good of Religion, his Mãties ſervice, and the ſafetie and proſperitie of this kingdome. And to that effect Gives full powar and warrand to the Cõmittee of estates heerinnominat, There being at Leist the number of Twentie one of the ſaid Cõmittee pñt To ſelect of the pñt members of this Cõmittee of estates The number of Twentie four of each estate of which ellevin to be the Quorum Thair being Two of each eſtate pñt To be a Cõmittee of estates for governing the kingdome and manageing all affaires entrusted to thame by this pñt cõmiſsion, And ficklyk To mak choiſe of the pñt members of this Cõmittee The number of Sextene of each estate of which Sevin to be the Quorum There being one of each eſtate pñt To be a Cõmittee of estates To attend his Mãtie and the Armie in proſecution of the warre in maner foirſaid With power to the ſaid Cõmittee or thair Quorum foirſaid To governe the affaires of the Armies And to give thair beſt advyſe counſell and aſsiſtance in in what may conduce to the good and ſafetie thairof Which two Cõmittees ar to keip intelligence and correſpondence one with another anent ther proceedings and condition of affaires, Provydeing alwayes none of the ſaids Cõmittees ſall have power To impoſe anie new burdenes vpone the kingdome, raiſe new forces or diſband the Armies or conclude in buſsines relaiting to both kingdomes concerning the Solemne League and Covenant work of reformation or the peace of both kingdoms without mutuall conſent of others at Leist of a Quorum of both Cõmittees, IT is heerby declaired that the members of either Cõmittee being in the ſame place, That is either thoſe appoynted to goe with the Armie being with the other Cõmittee of estates, or reciprocallie the Cõmittee of estates being with the other Cõmittee ſall have the Lyik priviledge for voyce and making vp of the Quorum as anie other member, And Lykwayes with powar to the ſaid Cõmittee of estates To receave the bands of ſuch as ar appoynted to ſubſcryve the ſame Conforme to the act of Parliament of date the Penult of May 1651 geires, Intituled act for ſecureing of Religion, and work of reformation, And to iudge and determine þin, conforme to the ſaid act, And alſ with power to the ſaid Cõmittee of estates, To nominat the Cõmittees of warre in the ſeverall ſhyres who ar not appoynted be Parliament ſince december 1650 yeires. And it is heirby ordaned that the wholl Cõmiſsioners afoirſaid ſall at firſt meitting in the Cõmittee accept the Cõmiſsion and give thair ſolemne oath for thair faithfull and diligent diſchairge of thair trust, And alſ with power to thame To mak choiſe of new perſons of that ſame degree and qualitie To ſupplee the places of thoſe of the Cõmittee of estates and Cõmittees of accompts and exciſe who ſall happin to deceaſe, And it is heirby declaired That the Kings Mãtie with advyſe of the Cõmittee of estates may alter and change the place of meitting of Parliament as ſall be thought fitt And farder with power to the ſaid Cõmittee to add to ſuch perſons to the Cõmittees of warre within the reẍiue ſhyres, as they ſall find neceſſarie for the good of the ſervice, With power alſo to thame To regulat the pñt Cõmittees of warre alreddie named in thair numbers, according to the Lairgnes of the ſhyres And ficklyk the Kings Mãtie and estates of Parliament Permitts and allowes, The haill foirſaids perſons abovenamed Supernumerarie to be pñt with the ſaid Cõmittee firme and ſtable holding and for to hold whatevir the ſaids cõmiſsioners or þ Quorum ſall doe in maner and for the end afoirmentioned Lykeas his Mãtie and estates foirſaids Diſchairges all former cõmiſsions to anie Cõmittee of estates And doe appoynt this Cõmiſsion to endure to the nixt ſeſsion of Parliament and farder ay and whill the ſame be ſimplr diſchairged

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ACT and Comiſſione for the moneyes accomptt and excyß 7

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IV JUNII.

[MINUTES]

Quarto Junij 1651 11a dies parliam.

DOMINO REGE PRESENTE

Prayert heard and rollt callit

THE Lord Madertie did ſubſcryve the band for ſecuring Religion & work of reformaõn and took the oath of parliament

LETTER from the L. Lochzell to the M. Argyll Redd in pliament

SUPPLICAõNE Geñ Liveten. Dauid Leſlie anent the ſtait and effairt of þe armie Redd, his Mãtie and parliament ordanes hartie thankt to be returned to him for his care and declart they will tak the letter in conſideration

SUPPLICAõNE Reformeir officiart Redd in pliament, and ordanes the geñ officiart to conſidder of a lift of the wholl reformeir officiart & þ qualificaõnes to the comittee of eſtaittt, and þefter his Mãtie declairt he will call to himſelff the geñ officiart and tak in conſideraõn the ſdt reformeir officiart and alſ the officiart alreadie Imployed in the armie and thair qualificaõnes and attendance

SUPPLICAõN L. erſkyne Redd & remitted to the comittee appoynted for hearing the ſupplicaõne givin in be the ſhyre of ſtirling

SUPPLICAᵒNE from the Communitie ꝛ Incorporaᵒne of Glaſgow Redd, and the wholl three billꝭ remitted to the Comittee of eſtaittꝭ wᵗ pooer to thame to determein þᵗin

HIS Mãtie and parliament Ordanes the ſowme due to the garieſone of ſtirling be þe toun of glaſgow to be preſentlie payed be the fᵈ toun, and ordanes the ſame to be collected in the ordinar [way] ꝛ obedience to be givin to the magiſtratꝭ in collecting þᵗof and the lyk courß to be takin for þe Kingis money

DRAUGHT of ane act aganes the remonſtrance, Ane vther aganeſt complyence wᵗ the enemy Redd ꝛ remitted to the ſeverall bodyes wᵗ the act concerning the ſubſcryverꝭ of the bandꝭ for ſecuritie of religione ꝛ cᵃ and the overtur anent thoß who ceittes any pſones ſubſcryverꝭ of þe band as ꝓtraveinerꝭ and dois not prevaill in the pſuitt

THE overture anent the money belonging to the Lordꝭ of ſeſſion Remitted to be conſiddered be the ſeverall bodyes

ORDANES the bodyes to meitt at tuo efternun ꝛ the parliament at fyve

Eodem die poſt meridiem

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

SUPPLICAᵒNE Givin in be the Lord Duik of Hamiltoun and his Lady Redd, His Mãtie ꝛ parliament Ordanes the pteis to be ceitted to compeir befor the Lordꝭ Cranſton Humbie Toftꝭ clerkingtoun and bromhall or any tuo of thame at ſuche day and place as they ſhall appoynt to qᵐ his Mãtie ꝛ parliament gives full pooer and Comiſſione to examine the witneſſ to ly and remayne in retentis, Reſerving to the deꝭ all þᵉ defenſ both in cauſa and aganes the witneſſ to be diſputt befor the Lordꝭ of ſeſſion and ordanes the place of citaᵒne of thoiſ furth of þe cuntrie to be bruntyland, And grantꝭ libertie to the fyve Lordꝭ or any tuo of thame to receave witneſſ wpoun the hazard of þe producer incaice of neceſſitie altho the dayes of the citaᵒne of thois out of þe cuntrie be not expyred

HIS Mãtie ꝛ parliament addis to the Comitte for ſtirlingſhyre bill the E/ weymes V/arbuthnet eſkcog ꝛ craigdarroch, Joⁿ boſuell and James richartſon

SUPPLICAᵒNE L/ Harthill Redd ꝛ remitted to the Comittee of eſtaittꝭ to do þᵗin as they think fitt and the ſupplicaᵒn givin wᵗ the remitt þᵗwpoun to the ſupplicant

SUPPLICAᵒN heritoꝛꝭ of Dumbartan ſhyre Redd and Remitted to the Comittee appoynted for þe bill givin in be the ſhyre of ſtirlein ꝛ in the ſame termes

SUPPLICAᵒUN vaſſellꝭ ꝛ tenentꝭ of þe Lord Duik of Lennox Redd His Mãtie ꝛ parliament Grantꝭ citaᵒne and ordanes the pteis who ar Impriſoned to be ſett at libertie and the horſſ of ſuche as haue not givin band to be givin bak

ACT anent the wplifting of the monthes mentenance appoynted for his Mãties charges ꝛ comiſſionerꝭ be Joⁿ wallace ꝛ andro ſkeene from the collectoꝛꝭ paſt in pliament

SUPPLICAᵒNE T/ Dundie Red, ꝛ appoyntꝭ 4 ß a day to be payed to ilk man from the day they cam from dundie, ꝛ the lyk for perth, to be allowed in þᵉ mentenance

SUPPLICAᵒNE Roᵗ fair ſojoꝛ lamed Redd ꝛ paſt ꝛ he ordaned to haue the benefeit of þe act

SUPPLICAᵒNE fewarꝭ of muckart and doller Redd and Remitted to the comittee appoynted to heir the bill givin in be the ſhyre of ſtirling

HIS Mãtie ꝛ parliament efter voyceing Ordanes this ſeſſione of parliament to cloſe the morrow ꝛ the parliament to adiurne to ſuche a day as they ſhall think fitting

ACT anent Complyence wᵗ the enemy Redd voyced and paſt in parliament and ordanes the ſame to be publiſhed and proclamed at the croce of ſtirling wᵗ ſownd of trumpett

HIS Mãtie and the parliament Ordanes a letter to be wreattin to the clerk of regiſter for haiſting the tranſport of the regiſterꝭ according to former ordoꝛꝭ, and Gives warrand to the geⁿ comiſſᵉ to defray the expenſ of the tranſport

ACT aganes the Remonſtrance Redd voyced and paſt in pliament and Ordanes the day appoynted for theß to com in, wᵗin the ſhyres of fyff perth ſtirling dumbartan edᵉ Lithgow Air Ranfrew and Lanrick to be betuix and the 20 day off this inſtant, And for otherꝭ the laſt of this inſtant, and this act lykwayes to be proclamed the morrow at the croce of ſtirling

[Chancelloᵉ, Argyll, Caſſills, Mᵉ Roᵗ Barclay Johne Schoirt Hew Kennedy, diſſented frome þe paſſeing of þe forſd act]

ACT anent the ſubſcryverꝭ of the bandꝭ for ſecureing religione Red voyced and paſt in pliament

ORDANES the nixt meitting of pliament to be the morrow at eight hourꝭ

8 ACT anent the uplifting of the monthes mentenance appoynted for his Majesties charges

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ACT againſt Complyers with this Sectarian Enymie

9 OUR SOVERANE LORD and eſtaits of parliat taking Into conſidderatione the preſent ſad conditione of þis kingdome a conſidderable pairt q^of is poſſeſſed by a pairtie of þe rebellious army of ſectaries who contraire to all lawes to þr proteſtations & vowes to god, þr alledgiance to his Mãtie & treatties & obligationes to þis kingdome have perfidiouſlie trod doun religion traiterouſlie murthered þr & our law^full King, have ſhaken of his Mãties Juſt power & awthoritie have Invaded þis kingdome, deſtroying his Mãties good ſubjectis & everie thing they cane have power of w^in þe ſame & þt by þe lawes of god & nationes & lawes of þis kingdome all þe ſubjects w^in þe ſame are obleidged to ryſe in armes ag^t þm & to ſchune & diſtaiſt all complyance w^t or favoring ſoe baiſe & treacherous ane enemy, Have þfor thoght fitt to þe end þt all his Mãties good ſubjects may be tymeouſly forwairned of þr dewties & of thair daingers they may rune wnto by complyance w^t ſoe traiterous ane enemye to ſtatute & ordaine Lykas they ſtatute & ordaine & enact þt q^ſoever perſone or perſons within þe kingdome have Joyned or ſhall Joyne in counſell or armes w^t þis enemye or ſhalbe fund Intelligencers w^t þm are & ſhalbe guiltie & Incure þe paynes of treaſſone by forfaltor of lyfe, lands honor & goods & ſuch as have keiped or ſhall keip correſpondence w^t þm to þr advantage & to þe prejudice of þis kingdome & þe publict ſ^rvice now in hand ſhall be broght to tryell & ꝑdigne puniſchment according to þe nature & degree of þr faults And if any perſone or perſons ſhall w^draw þr aſſiſtance frome & not give þr preſence & concurrance w^t & in perſecutione of þe publict reſolutions in þe kingdome againſt þe ſaid cõmone enemye as ſhalbe requyred w^out a Juſt & law^full excuiſe or of being Intruſted in þe publict ſ^rvice aither in ſtaite or armye have deſerted or ſhall deſert þr chairge & returne to leive wnder þe power of þe enemye w^out licence they ſhalbe holdin & eſteimed as enemies to religione King & kingdome & are to be proceidit ag^t accordinglie by ſecuiring þr perſones Intrometting w^t þr eſtaits & declairing þm uncapable of any plaee or truſt w^in þe kingdome & doe heirby warrand & authorize þe cõmittie of eſtaits, for þe tyme, w^t full power & comiſſione to ſee þis act obſ^rved & to proceid ag^t all diſobeyers or ꝑtraveiners þ^of ꝑforme to þe certificatione & promiſſ^ abovewr^in & ordains publica^one to be maid heirof at þe mercate croce of Stirling þt non pretend Ignorence of þe ſame and this publicatione at þe Croſe of Stirling ſhalbe ſufficient Intimation to all his Mãties ſubjectis

ACT againſt the weſterne Remonſtrance

OUR SOVERANE LORD and eſtaits of Parlia^t Conſidering þt þr wes a paiper or Remonſtrance ꝑtryved awned and preſented to þe comittie of eſtaits Octo^r 22 laſt & þ^efter No^r 19 Inſiſted wpone & adhered wnto in þe name of the Gentlemen officers & others atending the weſterne forces q^lk paper wes by his Mãtie & comittie of eſtaits declaired to be ſcandelous and Injurious to his Mãties perſone and prejudiciall to his awthoritie & diſhonorable to the kingdome holding furth the ſeids of diviſione & ſtrenthening þe heads of þe enemye & weakening þe hands of manye honeſt men and wes alſoe declaired ag^t by þe coñi^ee of þe generall aſſemblie & althoght it might have bein expected þt þe forbearance of cenſuring þr perſons ſhould have engadged þm to ane more cairfull following of publict dewties for þe tyme to come: yitt it hes produced noe other effect wpon thoſe men then of w^drawing thair preſence & concurrance frome þe publict reſolutions of kirke & ſtaite ſoe neceſſare at þis tyme for þe preſervatione of religione the Kings perſone & awthoritie & releif of þe kingdome q^lk being a great diſcouragement to his Mãties faithfull ſubjects, who are to hazard þr lyſes & fortouns in þe preſent ſervice may alſoe prove moſt daingerous to þe peace & ſaiftie of þe kingdome if it be not tymlie adverted wnto Thairfor Our Soveraigne Lord & eſtaits of parlia^t doe now as formerlie in december Laſt ratifie & approve q^t hes bein declaired ag^t it be þe comittie of eſtaits & diſchairges all his Mãties good ſubjects to vent or diſperſe any copyes þ^of certifieing ſuch as ſall doe in þe contrair heirof ſhalbe puniſched as venters & fomenters of ſeditious lybells & pamphlets And his Mãtie [of his] Innat goodnes being more willing to reclame the perſones by favour þn to puniſch þm by Juſtice doe[s] þ^for with advyſe of þe parlia^t offer aſſuirance to all & every perſone or perſones who had any acceſſione to the ſ^d Remonſtrance to be frie of all truble queſtione hazard or dainger for þe ſamyne in all tyme cuming in þr perſones names & fortouns Provydit alwayes þt betwixt & þe 20 day of Junij nixt theſe w^in þe ſhyres of ffyfe: Sterling, Perth, Dunbartoun: Ed^r: Lithgow Lenerick Renfrew & Air, and betwixt & þe firſt of Julij all others & w^in any other ſchyre appeir perſonally before þe Kings Mãtie & comittie of eſtaits & þ^r wnder thair hands diſclame þe ſ^d Remonſtrance acknowledge þr offence þ^in & obleidge þm^ſelfes never to medle w^t þe lyke heirefter certifieing all ſuch as ſhall not appeir & diſclame þe Remonſtrance as ſ^d is they ſhall not only forfalt þis favo^r of aſſwirance bot alſoe be proceidit ag^t in maner following as ſeditious perſons & breakers of þe peace Lykeas Our Soveraigne Lord & eſtaits of parlia^t doe heirby warrand & awthorize & expreſſlie cõmand þe cõmittie of eſtaits for þe tyme to call befor þm everie ſuch perſone or perſones

who were ꝓtryvers or preſenters or adhearers wnto þe ſ^d Remonſtrance ⁊ doe not appeir nor diſclame þe ſam^ȳ for all tyme cūming (theſe w^tout þe kingdome being Cited wpon 60 dayes at þe mercate croce of Bruntilland) and to proceid ag^t þ^m as ſeditious perſones ⁊ raiſers of commotione ⁊ diviſſione to þe breake of þe peace of the countrie ⁊ to take ſuch farder courſe for þe ſuppreſing of þ^r paper ⁊ actings in perſewance þ^rof as þ^r may be noe obſtructione or hinderance þ^rby to the publict ſ^rvice nor prejudice to þe peace of þe kingdome as þe ſ^d cō-mittie wilbe anſ^rable for þe diſchairge of þe truſt comitted to þ^m ⁊ ordains þir pūts to be publiſhed be oppen proclamatione at þe mercat croſe of Sterling q^lk is heirby declaired to be a ſufficient Intimatione to all his Māties ſubjectis

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11 ACT anent the ſubſcryveris of the bandis for ſecureing religione

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V JUNII.

[MINUTES]

Quinto Junij 1651 12^a dies parliam.

DOMINO REGE PRESENTE

LIST of the baggage horſſ to be putt furth be the ſeverall ſhyr^ȩ Redd in pliament, Thairefter

IT being putt to the queſtione whither or not the burrowes ſhould putt furth thair baggage horſſ according to the mentenance or the number of men It wes voyced according to the number of men and ane baggage horſ to be putt furth be thame for evrie fyftein men, And ordanes the ſhyres to putt furth a baggage horſ for eache fyftie pound of mentenance

HIS Mātie and parliament Recomend^ȩ to the Comittee of eſtaitt^ȩ that the act of pliament maid at perth in the laſt ſeſſion of parliament anent tranſporting of money may be putt in execu^one agānes the ꝓtraveiner^ȩ þ^rof

THE Lord toſt^ȩ aſkit inſtrument^ȩ wpoun the productione of the ord^r anent the money belonging to the Lord^ȩ of ſeſſione and that he inſiſted and vrged the ſame in pliament as a weill for þe ſ^d lord^ȩ and þ^rwpoun aſkit inſtrument^ȩ

HIS Mātie and parliament Grant^ȩ Comiſſione To four of evrie eſtaitt to be named be þe pliament to tak in conſidera^one how the mentenance appoynted for his Māties v^ȶ ſince his coming to the kingdom hes bein diſpoſed

HIS Mātie did declair that he would name certane pſones to joyne w^t the vther^ȩ for conſiddering the accompt^ȩ of his owne rent

BEING putt to the queſtione quhither or not thair ſhall be ane full monthes mentenance extraordinar wplifted throw the wholl kingdom by and atto^r former Impoſitiones for his Māties v^ȶ allanerlie It wes voyced affirmative, and to be w^tout exemptione of any burgh or land to be payed pūtlie

ORDANES the nixt meitting of parliament to be at tuo efternun

SUPPLICA^oNE V^r newburgh in name of þe Kingis regiment Red ⁊ remitted [illegible] the comittee of eſtaitt^ȩ w^t pooer to determein þ^rin

Eodem die poſt meridiem

DOMINO REGE PRESENTE

SUPPLICA^oNE E^r Carnewath Redd His Mātie and Parliament Ordanes the E^r Carnewath to raiſe ſum^a^ȩ of reduc^on of þe forfaulto^r befor þe Comittee of eſtaitt^ȩ aganes all pteis haveing intereſſ^ȶ and Grant^ȩ full power ⁊ Comiſſione to þe ſaid Comittee to heir ⁊ determein and pronunce ſentence

HIS Mātie and parliament Remitt^ȩ to the Comittee of eſtaitt^ȩ to tak in conſidera^on the conditione of the Inferio^r officiar^ȩ off foott of þe armie and the conditione of ſeik and diſeaſed ſojo^r^ȩ

LIST of the Noblemen efter voyceing appoynted to be wpoun the comittee of eſtaitt^ȩ, Dr Hamiltoun Mr Huntlie Mr Douglas Mr Argyll, E^r Crauford Erroll Marchell Rothes Buchane Eglintoun Glencarne Caſſill^ȩ Athoill Home, Dunfermlein Wigtoun Tullibardyne Roxburgh Kellie Buccleuch Hadintoun Galloway Annandaill Lauderdaill Lothiane Southeſk Weymes Dalhouſſie Finlater, Callander Hertfell, V^r Newburgh L^r Spynie Lundoris Cardroſſ Balcarras Bargany Belheavin Cochrane Duffus for the noblemen, Humbie Coleintoun, ormeſtoun orbeſtoun S^r patrik hamiltoun, Toſt^ȩ caver^ȩ whitſlaid Craigdarroche Thorntoun Lugtoun Carden Lundie of þ^r ilk, Durie Lag eldar newgrange Lambertoun Nidderie Keath, Innes yor, Lea, ſtobbis eldar Hardin ſkirling Garthland Maner Cranſtonriddell Luſſ Creich Preſtone vdnie Blakhall muſwall Bogy ſtrathurd Ardroſſ nauchton Johnſton barkley, fairney ardblair

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VI JUNII

[MINUTES]

Sexto Junij 1651 13ª dies parliam.

DOMINO REGE PRESENTE

Prayerꝭ heard and rollꝭ callit

LIST of the burrowis voyced in pliament to be wpoun the committee of eſtaittꝭ Sr Joⁿ ſmyth Sr Williame dick Archibald ſydſerff James Rochhead Dauid wilkie, Hew hamiltoun, Joⁿ mylne James monteith Alexr ſtrang, Sr Alexr wadderburne Roᵗ dauidſone Sr Patrik leſlie [Sr Robert Farquhar Andro Glen] Mr Johne Cowan James ſword James [Lentron James Hamilton James Bell elder Colin] campbell George Jameſone George gardyne Joⁿ boſuell Roᵗ whytt Johne Lindeſay Alexr cunyng-hame James peddie, Johne Auchterloney Dauid ſpens, James Mᶜcullach Johne burneſyd Hew Kennedy Johne forbes Johne ſcott Andro grant Roᵗ arnot Alexr bowar Johne Rutherfoord Dauid ſympſon and Duncan nairne

THE Erle of Tullibardyne in name of the Erle of Athoill proteſted that the placeing of the Erle of Athoill in the rollꝭ as he now is placed be this roll efter the Erle of murrey ꝛ vtherꝭ þin conteanit ſhould no wayes preiudge him of his ryᵗ of dignitie and prioritie of place in ſitting ꝛ voyceing in parliament according to his iuſt ryᵗ and tytill of honor bot that it may be lawfull to the ſd Erle of Atholl to clame and perſew for his iuſt ryᵗ place ꝛ dignitie befor any placed in the roll beſoir him preiudiciall to his ryᵗ and place as accordꝭ of the law

HIS Mãtie and parliament efter voyceing Ordanes Thoiß geⁿ officiarꝭ only viz the Generall, the Live-tenent generallis, the generall of arteliarie and the maior generallꝭ ſhall haue place and voyce in the comittee of eſtaittꝭ

HIS Mãtie and parliament addis to the ſd comittee of eſtaittꝭ as ſupernumerarie The Lord chancelar the preſident of parliament and the Duik of bucking-hame the Kingis advocatt, the Lᵈ theſurar deputt

HIS Mãtie and the parliament addis to the com-mittee of eſtaittꝭ the Erle of Linlithgow and Lord cranſtoun Lᵈ bromehall and Riccartoun drumond, George moriſon and Mr Alexr douglas

LETTER from Mr Thomas henderſone to the Clerk of regiſter of the 25 der 1650 Redd in par-liament

LIST of thoiß appoynted by his Mãtie to be wpoun the comittee for excyſe and aecomptꝭ for noblemen Eᵈ Lawderdaill Southeſk Burghley Balcarras Bar-gany Cochrane Duffus for barrones Humbie Toftis Nidderie, Lea Maner ſkirling keath, for burrowis Sr Alexr wadderburne Alexr bowar James ſword Johne boſuell Ard ſydſerff Dauid wilkie ꝛ Mr Joⁿ cowane

HIS Mãtie wpoun certane knowlege of þe qualifi-caᵒnes of Joⁿ Hamilton did nominat in parliament the ſaid Colonell Johne Hamilton To be lykwayes geⁿ maior to the foott for wᶜʰᵉ the parliament did Returne his Mãtie moſt humble thankꝭ haveing maid choyſe of ſo able and qualified a perſone and gave þr vnanimous conſent ꝛ approbaᵒne þrto

COMMISSIONE for hearing his Mãties accomptꝭ of his rentꝭ and of the mentenance redd ꝛ paſt

THAIREFTER Mr Thomas Henderſone being callit and Interrogatt if the letter wᶜʰᵉ wes redd wes his hand wreit ꝛ ſubſcryved be him he did acknowledge the letter to be his hand wreit, whair-wpon haveing heard his explanationes verball anent the ſd letter His Mãtie and parliament efter voyceing did diſcharge the ſd Mr Thomas of his place as being clerk to the Comittee of eſtaittꝭ, And being þrefter putt to the queſtione whither or not ther ſhould be another clerk preſentlie appoynted or to continow the nameing of another clerk till further tryell, It wes voyced, preſentlie, Wharwpoun his Mãtie wes pleaſed to name Sr Archibald prymrois to be clerk to the Comittee of eſtaittꝭ during his lyftyme to wᶜʰᵉ nominaᵒne the parliament gave þr aſſent and approbaᵒne, And his Mãtie ꝛ parliament declairꝭ That this nominaᵒne ſhall be but preiudice of the clerk of regiſterꝭ ryᵗ, And his Mãtie ꝛ pliament Ordanes the ſd Mr thomas to delyver to the ſd Sr Archibald all his warrandꝭ Regiſterꝭ ꝛ haill wreattꝭ and paperꝭ wᶜʰᵉ he hes belonging to the ſd place ꝛ charge ꝛ ane act to be extendit heirwpoun

THE Lord Chancelar haveing for exoneraᵒn of þe clerk regr givin notice to the Parliament of the com-ing of þe regiſterꝭ to Alloway His Mãtie ꝛ parlia-ment Remittꝭ to the Comittee of eſtaittꝭ to tak courſ for the ſpeidie tranſport of þe ſdꝭ regiſterꝭ ꝛ paperꝭ ꝛ ordanes the geⁿ cõmiſſr to be at the charges of tranſporting þroff

THE Kingis Mãtie haveing experience of the abili-ties of Sr Roᵗ murrey iuſtice clerk did name him to be on of þe Lordꝭ of ſeſſione, To wᶜʰᵉ the parlia-ment did aſſent

LIST of billꝭ remitted to the Comittee of eſtaittꝭ or Lordꝭ of ſeſſione Redd and approvin ꝛ citaᵒnes granted ꝛ the haill remanent billꝭ remitted to þe comittee of eſtaittis

[SUPPLICATION of the tennents of the Lands of Kilsyth &c.

TO the Kings most excellent Majesty, And the right Honorable the Estates of Parliament The Humble Petitione of the moſt pairt of the tennents of the Lands of Kilsyth and Bantoun

Sheweth

THAT where the enemie in his march from Edinburgh to Glaſgow two ſeverall tymes viz in october and februarie last came to the lands aforſaid, And there quartered with his haill armie be the ſpace of Lykeas the enemie haveing placed a Garrison in the Houſe of Kilsyth, the ſaid Garriſon wes for the ſpace of nyne weeks intertained be the tennents of the ſaid lands who beſyde wer plundered and ſpoiled at pleaſure be that Garriſon. And ſiclyk the ſaid tennents have ſince November laſt payed great ſeſses to the Garriſons of Sterling, Airth Craigbarnet and Duntreath And in likemanner the forſaid tennents haveing for ſecuritie putt in the Houſe of Kilsyth their haill Victuall (qch wes left vnexhausted for helping to ſaw the ground) with yr Cloaths and other goods belonging to them, the ſamen of late wes totallie burnt and destroyed in the ſaid Houſe by the enemie who refuſed to permitt anie thing to be brought out of the ſame, Notwithſtanding q'of the ſaid tennents were neceſsitated of late to pay a great ſeſse to the Guard of Horſe at Sct Ninians kirk, who drave their Horſes and beſtiall and wald nawayes reſtore the ſame, till the ſaid tennents were forced to pay the ſaid ſeſse Whereby the ſaid tennents are totallie Impoveriſhed and ruined and yr Condition rendered ſo lamentable as that they cannot expreſse the ſame, manie of the ſaid tennents haveing left yr houſes and habitations, they nor theſe who yet remaine haveing nothing almoſt to mantaine themſelffes or to ſaw the ground And though the ſaid tennents have ſuffered more and borne greater burden ſince September last then any of their neighbours neere to them be the And that manie of theſe tennents have left yr habitations as aforſaid, And that ythrow theſe who yet remaine are forced to beare burden for themſelffs and the vther tennents who have left the lands, And that now yr is no more left but a Cow to a familie, who for want will ſhortlie ſterve Yet are your Petitioners diſtressed and quartered vpon by theſe that were in the Garrison of Airth for aſsiſting quarters to the paroche of Airth And for aſsiſting quarters to the Paroches of ſintrey and Gargunnock And alſo ſeſsed for the Garriſons of Sterling Craigbarnet and Duntreith Wch wee are altogether vnable to beare and at laſt muſt alſo leave the lands being expoſed to Cold and hunger, all qch they had in the world beeing ſpent ſold burnt and deſtroyed, MAY it therefore please your Mätie and the Parliament To tak our deplorable Condition, And not onlie to liberat ws of theſe inſupportable burdens, qch cannot be expected from ws, But alſo to appoint a competent allowance in a Publict way for our ſubſiſtence as your Mätie and the Parliament ſhall think fitt

And your petitioners ſhall ever pray &c.

6 Junij 1651

The Kings Ma / & eſtates of þis pñt parliat Haveing hard & confidered the abovewryttin ſupplicane They have Remited & ſeriouſly recomended the ſame wt the deſyre of the ſupplicants þinconteined To be takin in conſideracne be the comittie of eſtates wt power to þm to determine þin.

M Dauid Hay]

. . . . . .

DECREIT of reducne James bruce of balfoullt pra Michaell bruce

DECREIT E / Levin pr Sr James ſtuart

ACT Ratifieing the ſeverall ſeſſiones of parliament ſince the year 1641 & the late treatie at Breda

LIST of Ratificanes paſt in pliament

ADDITION to the Comittee of war of perth approvin

THE Kings Ma / & eſtates of parliat ordanes the comiſſioners appoynted [for] reveiſing & making inſpectione of his Ma/rents To geive in thair accompts betuix & the firſt of Julij nixt to come

IT is the earneſt deſyre of the Kings Ma / & parliat þt the armye go to the feilds wt all poſſible expeditione

INSTRUMENTIS takin be the E / Marchell wpoun the producne of the honot wt his deſyre repreſented to the parliament That the ſame might be putt in ſum part of ſecuritie, His Mätie & parliament Ordanes the ſaid Erle of marchell To caus tranſport the ft honot to the hous of Dunnottor þt to be keepit by him till farther ordot

ACT ſalvo iure cuiuſlibet

ACT ptinewing the nixt meitting of parliament wntill the 3 wedniſday of november nixt

HIS MATIE in teſtimonie of his royall aſſent givin to the forſaidt actt did tuitche the ſame wt the ſcepter being preſented to him be Mr Dauid Hay clerk

. . . . . .

ACT diſchargeing Mr Thomas Henderſone of his place as clerk to the Comittee of eſtaittꝭ

12 AT STIRLING the ſext day of Junij Jm vjc' and ffiftie ane yeiris Our Soverane Lord and eſtaittis of parliament now preſentlie conveened in this eight ſeſſioun of this ſecund trienniall parliament Haveing ſeine a lre writtin be Mr Thomas henryſone clerk to the Cōmittie of eſtaittis of the Tuentie fyve day of december laſt expreſſing thairin his wnſatiſfactione of the publict proceidingis of the ſtate And haveing called himſelf thairvpon and ſhowin him the ſaid letter, He did acknowledge the ſaid letter to be all writtin with his awin hand, And being deſyred to explaine his meaneing thairvpon And haveing ſeverall of his verball explanacōnes Doe find themſelfis nowayes ſatiffied with the ſaid Mr Thomas henryſone And doe lykewayes find the ſaid letter to conteine ſeverall thingis expreſſing his diſſatiſfactione to the publict reſolutiones of the King and parliament Aganis the Cōmoune enemie And thairfore doe diſchairge him of his place and chairge as Clerk to the Cōmittie of eſtaittis, And doe declaire the ſaid place vaickand and voyd

. . . . . .

13 ACT Ratifieing the ſeverall ſeſſiones of parliament ſince the year 1641 & the late *treatie at Breda*

. . . . . .

COMMISSIOUN ffor taking inſpectione of his Māties rentis

14 AT STIRLING the ſext day of Junij Jm vjc' and ffiftie ane yeiris Our Soverane Lord and eſtaittꝭ of parliament now pñtlie conveened in this eight ſeſſioun of this ſecund trienniall parliament Conſiddering that the comptis of his Ma/ rentꝭ and caſualities are now of lang tyme lyin over onfitted and endit thir many yeiris by paſt and that now of late ſince his Ma/ euming to ſcotland Thair hes beene diverſ ſoumes of money raiſed by þe eſtaittꝭ of this kingdome and delyt in to the Cōmiſſioners of his Māties therie and receiveris of his Ma/ rentꝭ To be Imployed for his Māties wſe And the Kingis Mātie being gracioußie willing at the deſyre of the ſaidꝭ eſtaittꝭ that Inſpectione be takin of all the Comptis and Intromiſſiones wt his Ma/ rentꝭ and caſualities and wt the vþr ſowmes giwin in be the eſtaittꝭ of this kingdome for his Māties wſe And that ſince the intromiſſione of the pñt Cōmirꝭ of the theſaurarie and þr medling thairwith THAIRFORE Our Soverane Lord wt advyß and Conſent forſaid Gives and grantis be thir pñttis full power warrand and Cōmiſſioune To the perſones eftir following viz The Erle of Tullibardin, Lordꝭ Balcarras, Bargeny, Cochrane for the noblemen Humbie, Lea, Niddrie, Skirling for the barrones Sr Johne ſmyth Archibald ſydſerff James ſword and Johne boſuall for þe burrowes or ony ſevin of them to be the quorum To receave from the Cōmiſſioneris of his Maties thērie and receaveris of his Maties rentis and caſualities the accompts of þr Intromiſſioune wt his Maties rentꝭ evir ſince þr Intromiſſioune and the accomptis of all ſowmes of money giwin in to þm be the eſtaittꝭ of this kingdome for his Maties wſe and raiſed for þt effect evir ſince his Matie cam to this kingdome wt power alſo to the ſaidꝭ Cōmiſſioneris or quorum forſaid To tak notice and mak enquirie of ſuch of his Ma/ rentis and caſualities as the ſaidꝭ Cōmiſſioneris of the ſaid theſaurarie aucht to haue intrometted with And for the better effectuating of the premiſſ Ordanis the ſaidꝭ Cōmiſſioneris of the theſaurarie and receaveris of his Maties rentꝭ and caſualities and of the ſaidꝭ ſowmes givin be the eſtaittꝭ of this kingdome to his Maties vſe as ſt is To give in þr accomptis abonewſin chairge and diſchairge betwixt and the firſt day of Julij nixt tocum To the ſaidꝭ Cōmiſſioneris heirby appoynted for receaveing þroff wt power alſo to the ſaidꝭ Cōmiſſioneris or quorum forſd To call for his Maties rolles of excheker, exchekqr bookes or vther paperis qtſumevir which may facilitat the expeeding of þe ſdꝭ accomptis And ordanis the ſaidꝭ Cōmiſſionerꝭ To mak thair report of what they find in the ſaidꝭ accomptis To the Kingis Matie and parliament or Comittie of eſtaittꝭ wt all conveniencie

. . . . . .

ACT Salvo Jure Cujuſlibet 15

. . . . . .

ACT continewing the nixt meitting of parliament untill the 3 wedniſday of november nixt 16

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Indexes

OF THE NAMES OF

PERSONS AND PLACES.

INDEX OF PERSONS.

ABERCAIRNE, tutor of— 301.
ABERCORNE, ERLE OF— 61, 410.
Abercrombie, lord, 300, 328, 415.
——— of Birkinboig, (Birkinboug, Birkinbogue), Sir Alexander, (commiſſioner for Bamffſhire), 4, 55, 117, 135, 212, 214, 302. V. Birkinboig.
——— ——— ——— (younger), 119, 135, 561.
——— of Skeith, Thomas, 28, 55, 135, 212.
——— Mr Androw, 492.
——— Androw, 395.
Aberden, (Aberdeen), commiſſioner for— 6, 13, 20, 61, 63, 69, 71, 73—75 *incl.* 438, 617.
——— provoſt and baillies of— 21, 22, 448, 494, 593.
Abernethie of Notherdaile, Patrick, 131.
——— major Andrew, (commiſſary of Lauder), 507, 523, 567, 589, 598—600 *incl.* 604.
——— George, 304.
Abirrorchil, laird of— 278. V. Campbell.
ABOYNE, VISCOUNT OF— lord of— 7, 104, 197, 258. V. Gordoun, James.
Aboyne, laird of— 176.
Abrenſis, Peter, 610.
Acheſon (Achieſone, Atcheſone) of Sidſerf, Robert, 375.
——— Mr Johne, 299.
——— Johne, 94.
——— William, 68.
Achinbreck, laird of— 6, 30, 148, 231, 303, 376, 422, 486, 502. V. Campbell.
Achinmwty, Sir John, 131. V. Auchmuty.
Achinreath, laird of— 378.
Achinreoch, (Auchinreoch), laird of— 378. V. Kinkead.
Achrochar, laird of— 302.
Achterlony, (Auchterlounie). V. Ochterlony.
Achyell, baron of— 212. V. Auchile.
——— ——— ——— (younger), 212, 376.
Adair of Kinhilt, Sir Robert, 53, 211, 302, 374, 426, 433, 439, 503.
——— ——— ——— William, (apparent), 374.
——— Sir Robert, 16, 372, 389, 391, 490, 522, 551.
——— Thomas, (proveſt of Strantawr), 211, 374.
——— Mr William, (miniſter of Air), 346.
Adam, Mr Colein, (miniſter at Anſtruther), 347.
Adamtoune, laird of— (younger), 300, 375.
Aderſtoun. V. Alderſtoune.
Adie, (Addie), laird of— 212, 278, 416, 559, 561.
Advocat, the Lord, 69, 447, 520, 566, 568, 576, 592, 601, 605, 615, 624.
Affleck of that Ilk, 302.
——— captain Andro, 517.
Agnew of Barnewell, Patrick, 29.
——— of Galdnioche, ... 302.
——— of Lochnaw, Andrew, (appeirand—ſherif of Wigtoun), 53, 73, 96, 133, 211, 257, 269, 374, 426, 433, 503, 507, 511, 512.
——— ——— ——— Sir Patrick, 133, 211, 374.
——— of Mac-Croach, Alexander, 374.
——— of Schewchane, (Seuchrane, Seuchan), Patrick, 29, 133, 211, 302, 374, 375.
——— of Wige, Patrick, 374.
——— levtennent colonell, 512.
——— major, 243.
——— . . . . . (ſherriff of Galloway), 4. V. Agnew of Lochnaw.
Ahannay, Patrick, (proveſt of Wigtoun), 133, 211.
Aiken, (Aikine). V. Aitken.
Aikinheid, laird of— 132.
Aikinway, laird of— 403.
Air, commiſſioner for— 7, 21, 73.
——— miniſter of— 323.
——— provoſt and baillies of— 9, 73.
——— ſhiref of— 182.
Airdblair. V. Ardblair.
AIRDRIE, (Airedrie), VICOUNT OF— 248.
Airdrie, laird of— 213, 297, 374. V. Preſtoun.
——— ——— ——— (younger), 213, 297.
AIRDS, (Airdis), VICOUNT OF— 93, 302.
AIRLIE, EARLE OF— 3, 5, 267, 345, 443.
AIRTH, EARLE OF— William, 134.
——— COUNTESSE OF— 615.
Airth, Henry, (commiſſar), 136.
——— James, (commiſſioner for Pittenweeme), 19, 54, 96, 134, 213.
——— Walter, (burges of Pittenweeme), 213, 269, 297.
Aitken, (Aikine), Mr Harie, (commiſſar), 56, 136, 379.
——— James, 301.
Aiton. V. Aytoun.
Alderſly, laird of— 375.
Alderſtoune, (Aderſtoun), laird of— 211, 279, 297, 299. V. Gibſoune, and Hepburne.
Aldey, laird of— 199. V. Roſe.
Alexander, lady, 182.
——— of Byerhills, William, 376.
——— captain David, (commiſſioner for Anſtruther), 55, 134, 199, 201, 614.
——— James, (burgeſs of Paiſley), 302, 375.
——— ——— (in Hill of Drips), 374.
——— John, (baillie of Anſtruther eaſter), 213.

Alexander, John, (baillie of Hamiltoun), 132.
——— Iſſobell, 518.
——— Robert, 297.
Allan, (Allane), Chriſtian, 381.
——— George, 374.
——— James, 230.
——— maſter, 338.
Allantoun, goodman of— 132,—laird of— 298, 490, 522, 528.
——— ——— ——— (younger), 389,—rutmaſter, 435.
Allardes, (Allardyce), of that Ilk— laird of— 55, 134, 264.
——— tutor of— 300.
Allot of Craigend, Mr Gilbert, 133. V. Ellot.
Alloway, miniſter of— 328.
Almagill, laird of— 328.
Amisfeild, laird of— 95, 132, 519, 520. V. Charteres.
Anchile, laird of— 278. V. Achyell.
——— ——— ——— (younger), 278.
Anderſoune of Barmouth, Patrick, 302.
——— of Hill, Mr David, 28, 324.
——— of Newtoun, William, (younger), 374.
——— Mr Gilbert, 492.
——— James, 376.
——— John, (baillie of Glasgow), 132.
——— ——— (in Inverkeithing), 492.
——— Simeon, 521.
——— Thomas, (in Alloway), 376.
Anderſtoune, Mr David, 297.
ANGUS, EARLE OF— Archbald, 372, 442.
Angus, lord— Archibald, 83, 131, 211, 214, 278, 279, 297, 347, 372—374 *incl.* 377, 425, 433, 434, 503, 516, 533, 547, 568, 576, 580, 589, 605.
Annand, Mr John, 492.
ANNANDAILL, EARLE OF— 3, 92, 132, 143, 237, 415, 617, 618, 623.
Anneſtoun, laird of— 132. V. Mure.
Anſtruther, Sir William, 297.
——— . . . . . (nephew to Sir William), 297.
Anſtruther eaſter, commiſſioner for— 60.
ANTRIM, (Antrum), EARLE OF— 7, 8, 17, 19.
Applegirth, (Appilgirth), laird of— 132, 199, 213, 298. V. Gairden.
Arbeikie, laird of— 377. V. Arbuthnot.
ARBUTHNOT, (Arbuthnet, Artbuthnet, Arthburnot), VICOUNT OF— Robert, 3, 6, 22, 91, 119, 176, 178, 212, 219, 222, 283, 300, 302, 336, 347, 372, 377, 389, 391, 392, 417, 424, 425, 427, 433, 434, 438, 444, 448, 472, 473, 484, 503, 533, 601, 605, 607, 608, 610, 614, 616, 621.
Arbuthnot, lord, 490, 491, 568.
——— of Arbeikie, James, 211. V. Arbeikie.
——— of Blackſtoun, Alexander, 211, 302.
——— of Findowry, Robert, 28, 55, 134, 211, 219, 222, 278, 443.
——— of Keterlane, Robert, 300.
——— of Kirngall, ... 378.
——— Mr Robert, 389, 391.
——— rutmaſter, 522.
Archibald, Alexander, 572.
Ardblair, laird of— 212, 278, 368, 377, 601, 605, 616, 618, 623. V. Blair.
Ardcaple, laird of— 298. V. Ardincaple.
Ardes, James, (tutor of Ardes), 212. V. Airds.
Ardiffrie, laird of— 303.
Ardincaple, laird of— (elder and younger), 279. V. Ardcaple.
Ardkinlas, (Ardkinglas), laird of— 243, 253, 257, 372, 381, 559, 561. V. Campbell.
Ardmillane, laird of— 416. V. Kennedy.
Ardoch, laird of— (elder and younger), 279. V. Bountene.
Ardrois, (Ardroſs), laird of— 213, 297, 328, 416, 595, 596, 618, 623. V. Scott.
Ardwell, laird of— 211, 302.
Aredrie. V. Airdrie.
Areſkine. V. Erſkin.
ARGYLE, MARQUIS OF— (EARLE OF KINTYRE, Lord Campbell and Lorne), Archibald, 3, 6, 7, 13, 18, 19, 25, 26, 45, 51, 52, 57, 60, 61, 63, 65, 69, 71, 83—85 *incl.* 88, 90, 91, 94—97 *incl.* 107, 112, 113, 115—118 *incl.* 138, 143, 160, 177—179 *incl.* 182, 183, 189, 192, 195, 199, 220, 230, 236, 243, 274, 280, 283, 285, 290, 296—303 *incl.* 313, 319, 323, 328, 336, 345, 347, 372, 374, 376—378 *incl.* 383—385 *incl.* 396, 398, 417—419 *incl.* 425, 427, 431, 433, 436—441 *incl.* 445, 461, 464, 479, 484, 485, 489—491 *incl.* 503, 515, 517, 519, 522, 529, 532, 533, 539, 541, 542, 546—548 *incl.* 567, 568, 575, 577, 580, 589, 590, 593, 594, 596, 601, 602, 605—610 *incl.* 617, 618, 620, 621, 623.
Arkboll, laird of— 303.
Armine, (Armyne), Sir William, (Baronet), 24, 39, 50, 112, 113, 126.
Arneſtoun, (Arniſtoun, Arnieſtoun), laird of— 92, 277, 290, 297, 304, 319, 328, 330. V. Dundaſs.
Arnot (Arnott, Arnote, Arnet) of that Ilk, Sir Michaell, 54, 134, 213, 297, 376, 522.
——— -- ——— ——— (younger), 213, 297, 376, 490, 522.
——— of Barkcaple, David, 379. V. Barcaple.
——— of Capledrae, Andro, 376. V. Capildrae.
——— of Fairnie, (Fernie), Sir James, 28, 54, 134, 503. V. Fairnie.
——— captain Andro, 389, 392.
——— Robert, (proveſt of Perth—commiſſioner for Perth), 4, 96, 134, 138, 139, 177, 178, 201, 212, 223, 269, 278, 301, 328, 568, 576, 580, 605, 618, 624.
——— lieutenent colonell, 91,—colonell, 119, 195, 516, 572.
——— . . . . . 586, 587, 598.
ARROLL. V. ERROLL.
Artillery, General of the— 86, 143, 268, 286, 328, 510, 543, 553, 572, 585, 605, 618, 624.
Aſchinyeards, laird of— 273.
Aſhhurſt, M^r, 337.
——— William, 290.
Aſſint, laird of— 517, 525, 530, 538. V. Maccleud.
Atcheſone V. Acheſon.
Athernie, laird of— 6. V. Rig.
ATHOLL, (Athoill), ERLE OF— 296, 301, 313, 326, 459, 560, 561, 575, 593—596 *incl.* 602, 618, 623, 624.
Atholl, the men of— 326, 345, 459.
Atkins, alderman, 338.
Atton, laird of— 376. V. Aytoun.
Auchinbowie, laird of— 298. V. Bruce.
Auchinbreck. V. Achinbreck.
Auchincraw, laird of— 303.
Auchinguill, laird of— 302.
Auchinleck of Balmanno, Sir William, 376. V. Balmanno.
——— of Cumledge, George, 29.
Auchintoull, laird of— 302. V. Forbes, Hammiltoun, and Leſlie.
Auchmedden, laird of— (proveſt of Bamff), 303, 304. V. Baird.
Auchmuty, (Auchmoutey), laird of— 213, 297, 376. V. Achinmwty.
——— of Drumeldries, David, 376.
Auchnames, (Auchnanies), laird of— 300, 375.
Auchreddie, laird of— 303.
Auchterlony, Johne, 595. V. Ochterlony.
Auchtermarny, laird of— 551. V. Lundie.
Auchtertyrie, laird of— 212. V. Murray.
Auchyle. V. Achyell.
Auguſtein, captain, 558.
Auldmad, laird of— 303.
Ava, laird of— 542. V. Erſkine.
Aytoun of that Ilk, Sir Johne, 28, 29, 54, 63, 73, 83, 85, 92, 95, 134, 138, 139, 297, 376. V. Atton.

Aytoun of Fynglaſſe, Mr Andro, 376.
——— of Inchdernie, Mr Robert, 28, 122.
——— John, 373, 464.
——— Magnus, (commiſſioner for Bruntiland), 297, 376.

Babachla, (Babachlay, Barnbachlay), laird of— 28, 60, 61, 302. V. Cochrane.
Babertoun, laird of— 296, 323. V. Murray.
Baccleuch. V. Buccleuch.
Bachiltoun, laird of— 278, 304, 365, 547, 580. V. Oliphant.
Backie. V. Baikie.
Badinſhothe, laird of— 303. V. Gordoun.
Bagbie, laird of— (younger), 298. V. Baillie.
Bagray, laird of— 132.
Baidland, laird of— 212, 300.
Baikie (Bakie) of Tankernes, James, 27, 56, 136, 379.
——— Johne, (baillie of Kirkwall), 56, 136, 379.
Baillie (Bailly, Balyie) of Bagbie, Claud, (younger), 279. V. Bagbie.
——— of Calends, Alexander, 374.
——— of Carfine, (Carphin), William, 29, 53, 282, 298. V. Carphin.
——— of Danchyle, David, 378.
——— of Duneane, (Dunaend), William, 279, 303, 378.
——— of Hardingtoune, William, 214, 298.
——— of Hillis, Archibald, 53, 279. V. Hillis.
——— of Jerreſtoun, Robert, 214.
——— of Jervefwood, George, 241. V. Jarreſwood.
——— ——— ——— Robert, 473.
——— of Kincall, Angus, 378.
——— of Lammingtoun, Sir William, 29, 51, 213, 297.
——— of Lethem, (Lethan), William, (Lieutenent General of Foot), 205, 298, 328, 334, 416, 528, 529.
——— of Todhoils, James, 374.
——— of Welſtoun, Robert, 279.
——— general major—lieutenent general— 158, 182, 192, 198, 205, 239, 277, 282. V. Baillie of Lethem.
——— Jean, 326.
——— dam Margaret, (ladie Lus), 528.
——— Margaret, 326.
——— Mr Robert, (miniſter), 491.
——— William, 282.
Baird of Auchmeden, George, 55, 119, 212. V. Auchmedden.
——— ——— ——— James, 135.
——— of Culbairdie, Mr John, 378.
——— of Littlefiddies, Mr James, 303.
——— of Northfield, Brandoune, 303.
——— Mr Andro, 219,—clerk depute to the Lord Regiſter, 231.
——— Mr James, 91, 119, 205.
——— James, 69, 183, 334, 583.
——— John, 334.
Bairdie of Selvadge, John, 492, 553.
Bairfuird. V. Barfuird.
Balbadie, laird of— 297.
Balbauchlaw. V. Babachla.
Balbegno, (Balbigno), laird of— 212, 300, 377. V. Woode.
Balbirnie, laird of— 297, 376, 602.
Balbougie, (Balbugie), laird of— 277, 297, 376. V. Dempſter.
Balcanquel, Mr Walter, 104.
Balcarras, (Balcarreſe), lord— Alexander, 3, 45, 51, 57, 69, 70, 87, 131, 136, 138—140 *incl.* 176, 178, 194, 213, 222, 223, 236, 247, 250, 258, 264, 269, 274, 296, 314, 328, 433, 503, 559, 561, 567, 571, 576, 580, 586, 592, 595, 596, 605, 607—609 *incl.* 612, 616, 618, 623, 624, 626.
Balcaskie, (Balkaskie), laird of— 297, 376, 593.
Balcleuch. V. Buccleuch.
Balcomy, (Balcommie), laird of— 213, 297. V. Grahame.
——— ——— ——— (younger), 213, 297.
Bald, Patrick, 364.
Baldavie, laird of— 302. V. Irnes.
Baldro, maſter, 521.
Baledone, laird of— 302. V. Dumbar.
Balfarg, laird of— 277, 376, 602, 610. V. Weemes.
Balfoulls, laird of— (younger), 378. V. Bruce.
Balfour, laird of— 213, 297, 377. V. Beatoun, and Ogilvie.
——— ——— ——— (younger), 213, 297.
——— of Ballo, (Balloche), David, 28, 54, 134. V. Ballo.
——— of Deanmylne, Sir Michaell, 4, 54, 57, 122, 134, 138, 139, 148, 153, 177, 179, 197, 260, 287.
——— of Farrey, (Faray), Patrick, 27, 56, 136, 379.
——— of Samford, (Sandfoord), 277, 297.
——— Andro, 85.
——— David, 376.
——— Sir James, (Lyon King of Arms), 539, 564.
——— Mr James, (clerk of Seſſion), 507.
——— Sir William, 157, 535.
Balgay, laird of— 302.
Balgillo, (Bagillo), laird of— 278, 302, 377. V. Blair.
Balgonie, (Balgowne), the lord— 51.
——— laird of— 211, 298. V. Erſkine, and Oliphant.
——— ——— ——— (younger), 416.
Balheavin. V. Belheavin.
Balhouſſie, laird of— 212, 365, 377, 547. V. Kay.
Balimoir, laird of— 375.
Balkney, laird of— 303.
Ballantyne of Bruchtoun, Sir William, 571. V. Brochtoune.
——— capitane William, 529.
Ballegerno, (Ballegarnie), laird of— 212, 416. V. Gray.
Ballindalloch, laird of— 258, 267, 299. V. Grant.
Ballo, (Balloche), laird of— 212, 213, 297, 300, 375, 376. V. Balfour, and Durhame.
Balmadie, (Balmedie), laird of— 212, 278, 302.
Balmaghie, laird of— 214, 301. V. Magie.
Balmaine, laird of— 57, 199, 285, 300, 302, 561. V. Ramſay.
——— ——— ——— (younger), 300.
Balmano, laird of— 212, 278. V. Anchinleck.
Balmerino, (Balmirrinoche), lord— Johne, 3, 6, 13, 19, 20, 23, 24, 51, 57, 60, 61, 63, 69, 83—85 *incl.* 93—97 *incl.* 112, 113, 115, 116, 131, 138, 139, 144, 145, 148, 153, 177—179 *incl.* 213, 237, 272, 277, 296, 312, 328, 336, 347, 372, 377, 422, 425, 426, 433, 442, 503, 507, 509, 538, 539, 576, 605.
——— maſter of— 213, 296, 372.
Balmuille, laird of— 213, 297, 376.
Balmukatie, laird of— 377.
Balmuto, laird of— 297, 588, 589.
Balnagoune, laird of— 296, 303, 372, 378, 559, 561. V. Grahame, and Roſe.
Balnamone, laird of— 55, 267, 278, 302, 304. V. Carnegie.
Balneille, laird of— 92, 302. V. Roſe.
Balquharge, laird of— 297. V. Balfarg.
Balthyok, (Baltheok, Bathauok), laird of— 198, 212, 278, 296, 328, 330, 416, 519, 593, 601, 605. V. Blair.
Balvaird, David, 442.
Balvie, (Balwie), laird of— 73, 199, 279, 298. V. Colquhoun.
Balyordie, laird of— 278, 302, 377. V. Fraſer.
Bamff, (Banff), lord— George, 14, 23, 280, 296, 313.
——— maſter of— 267, 302, 559, 561.
——— laird of— 278. V. Ogilvie, and Ramſay.
Bancloich, (Bancloch), laird of— 132, 211. V. Levingſtoun.
Bannatyne (Banandyne) of Caymes, (Kammes), Hector, 30, 135, 245, 300, 372, 379. V. Bellandaine.
——— of Corhouse, Johne, 29, 53. V. Corhouſe.
——— of Cubas, Robert, 135, 379.
——— of Kelielamount, Ninnian, 300.
——— of Lawkas, Robert, 300.
——— of Lupus, Robert, 54.
——— of Newhall, Mr Thomas, 131.
——— James, 572.
——— Sir William, 585.

Bannerman of Elsik, ... 55, 135.
Bannockburne, laird of— 298, 378. V. Rollock.
Bar, laird of— 375. V. Lockhart.
Barbour of Kirktoun, Mr George, 279.
Barcaple, laird of— 302. V. Arnot.
Barclay. V. Barkley.
Bardie. V. Bairdie.
Barfuird, laird of— 299, 378, 410. V. Hepburne.
Barganie, (Bargenie), lord— John, 3, 11, 12, 73, 88, 92—95 *incl.* 132, 133, 138, 139, 176, 178, 212, 214, 222, 269, 272, 279, 296, 297, 300, 312, 328, 618, 623, 624, 626.
Bargertoun, (Bargattoun, Bargathane), laird of— 214, 257, 302, 372, 391, 488.
Barkley (Berkley, Berkeley, Barkeley, Barclay, Barkclay) of Cullernie, Sir David, 54, 134. V. Cullairny.
——— of Johnestoun, John, 28, 55, 91, 119, 135, 212, 300, 561, 567, 576, 589, 605, 618, 623. V. Johnstoun.
——— of Kinminnettie, James, 28.
——— of Pearstoun, ... 375.
——— of Scheills, Andro, 377.
——— major David, 240, 243, 314,—colonell, 326.
——— colonell Henry, 243, 247, 300, 314.
——— John, 377.
——— Mr Robert, (commissioner for Irwin), 4, 8, 19, 23, 24, 54, 57, 63, 70, 72, 106, 115, 133, 177, 199, 212, 264, 300, 323, 336, 340, 375, 426, 427, 432—434 *incl.* 438, 445, 462, 473, 503, 532, 567, 576, 605, 621.
Barnbachlay. V. Babachla.
Barnbarroch, (Barnbarrow), laird of— 211, 302.
Barncluch, laird of— 374. V. Hammiltoun.
Barnes, (Barns), laird of— 188, 213, 297, 447, 459. V. Burnet, Forbes, and Hammiltoun.
——— James, 85.
Barnett, Alexander, 21.
Barre, laird of— 212, 300.
Barrinschogall, laird of— 378. V. Branshogle.
Barrochane, (Barrachane), laird of— 214, 302, 375. V. Fleming.
Barscoib, laird of— 302. V. Macclellane.
Barskymming, laird of— 300.
Bartan, Robert, (burges of Dumfreis), 374.
Bartoun, William, 448.
Barwis, (Barveis), Richard, 112, 113.
Baslindean, laird of— 299. V. Home.
Bathauok. V. Balthyok.
Bathgait, laird of— 374.
Bathrick, laird of— 376.
Baxter, William, 586, 587, 609, 615.
Bayne of Kilmure, Duncan, 303.
——— of Logie, Duncan, 503.
Beatoun (Betton) of Balfour, Johne, 122. V. Balfour.
——— of Creich, (Creighe), David, 54, 95, 134, 138, 139, 199, 222, 269, 272, 347, 433.
——— of . . . . . Sir William, 376.
——— Agnes, (relict of Campbell of Souterhouse), 492.
——— Mr William, 277, 297.
——— the relict of Doctor, 571.
Beattie, (Beatie), Robert, (commissioner for Montrose), 96, 119.
Beavelaw, laird of— 296.
Bedlay, laird of— 298. V. Robertoun.
Beill, laird of— 92, 211, 279. V. Hammiltoun.
Beinstoun, laird of— 211, 302, 373. V. Hepburne.
Beirope (Berhope) of that Ilk— laird of— 54, 212, 301.
Belchis (Belsches) of Toftis, Mr Alexander, (one of the Lords of Session), 95, 188, 189, 176, 178, 223, 269, 272,—Sir Alexander, (knight), 426, 433, 503, 561.
Belheavin, lord, 297, 298, 328, 415, 617, 623.
Bell of Albie, John, 298.
——— of Blaikethouse, John, 298.
——— of Crodieknow, John, 298.
Bell of Mow, Andrew, 29, 133, 212, 301.
——— George, (commissioner for Lithgow), 4, 53, 57, 73, 84, 93, 96, 122, 133, 138, 139, 177, 178, 199, 279, 297, 319, 328.
——— James, (commissioner for Glasgow), 4, 53, 96, 130, 132, 136, 138, 139, 177, 178, 234.
——— ——— (elder), 595, 596, 618, 624.
——— John, 290.
——— Patrick, (burgesse of Glasgow), 130, 136.
——— Robert, 595, 596.
——— William, 596.
Belladrum, laird of— 303, 378. V. Fraser.
Bellandaine (Bellenden) of Cames, ... 54. V. Bannatyne.
——— of Stanehouse, Adam, 27, 56, 136, 379.
Bellstaine, (Belstans), laird of— 29, 69. V. Lindesay.
Beltie, laird of— 303. V. Irwing.
Benholme, laird of— 614.
Bennet, Mr Andro, (minister of Creich), 347.
——— Mr David, 578, 579, 585.
Berkley. V. Barkley.
Berwick, commissioner for— 73.
——— sheriffe of— 205.
Betton. V. Beatoun.
Beysak, laird of— 302.
Binei of Dininoe, James, 376.
Binnie, (Binning), Johne, 57, 138, 139, 153, 177, 178, 568, 576, 605.
Binning. V. Byning.
Birch, John, 290.
Birkinboig, laird of— 288, 303, 328. V. Abercrombie.
Birnie, Andro, 22.
Birsbane (Brisbane) of Bishoptoune, John, (commissioner for Renfrew), 29, 54, 96, 133, 138, 139, 177, 178, 375.
——— of Selveyland, Simeon, 302.
Bishoptoune, laird of— 143, 280, 300, 302, 375, 607. V. Birsbane.
——— ——— ——— (younger), 302, 375.
Blacader, (Blackader, Blaikader, Blaikater), laird of— 29, 60, 61, 211, 278, 299, 372, 373, 607. V. Home.
Black, Cristine, 574.
——— Helen, 574.
——— Martine, 286.
——— William, (commissioner for Anstruther easter), 297.
Blackbarronie, laird of— 278, 304. V. Murray.
Blackburne, Mr William, (factour of Campbell), 211, 299, 301, 375, 376.
——— William, 492.
Blackhall, laird of— (younger), 280, 302, 614, 618, 623.
Blackhill, laird of— 299.
Blackmad, laird of— 302.
Blackneese laird of— 302. V. Thornton, and Wedderburne.
Blackstone, Sir William, 589.
Blackwater, laird of— 303. V. Dalgarno.
Blackwood, laird of— 131. V. Grahame, Lowrie, and Weir.
Blair of that Ilk— laird of— 212, 273, 300, 302, 375.
——— ——— ——— John, 54, 133, 134, 257, 301, 377.
——— of Ardblair, James, 301.
——— ——— ——— Johne, 28, 55, 134, 257, 301, 377.
——— of Bagillo, (Balgillo, Bargillo), Sir Williame, 28, 55, 134, 211, 377.
——— of Ballachie, ... 416.
——— of Balthyok, Thomas, 28, 55, 134,—Sir Thomas, 301, 399. V. Balthyok.
——— of Drumie, Laurence, 377.
——— of Fennick, (Finnick), Robert, 135, 211.
——— ——— ——— William, 28.
——— of Lethintie, John, 278.
——— of Lochwood, Adam, 300, 375, 416.
——— of Monktounmains, James, 375.
——— of Pittindreich, John, 301.
——— of Spottill, Mr George, 298.

Blair of Tarſappie, Thomas, 301.
—— of Williamſtoun, William, 278, 376.
—— Mr Alexander, (miniſter of Galſtoun), 336.
—— Alexander, 573, 574.
—— captain Andro, 590.
—— Eupham, 573.
—— colonel Gilbert, 575.
—— Mr James, 302, 614.
—— James, (proveſt of Irwing), 212.
—— —— (younger, burges of Irwing), 287, 375.
—— —— (ſhip captain), 18.
—— major, 243.
—— Margaret, 574.
—— colonell Patrick, 244.
—— Mr Robert, (miniſter of Saint Andrews), 347, 446, 449, 491.
—— William, 519.
Blairnairn, laird of— 373.
Blaklunance, (Blaklunanes), parochineris of— 588, 589.
Blakſtoun, laird of— (younger), 377. V. Douglas.
Blanerne, laird of— 278.
Blantyre, the lord, 474.
Blebo, laird of— 297.
Blek, captain, 517.
Blindlie, laird of— 245, 247. V. Pringle.
Blyth, Elizabeth, 469, 517.
Boghall, laird of— 199, 279. V. Hammiltoun.
Bogie, (Bogy), laird of— 83, 84, 93, 94, 213, 231, 297, 425, 552, 559, 561, 595, 596, 601, 605, 618, 623. V. Weemes.
Boig of Burnehouse, Patrick, 373.
—— .....299.
Boigis, goodman of— 132, 378, 403. V. Hammiltoun.
—— —— —— (younger), 378.
Boiſwall. V. Boſwall.
Bonar, Jeane, 265.
—— John, 265.
Bonhard, laird of— 51, 211, 297, 374, 376, 378, 399. V. Cornwall.
Bonjedworth, laird of— 54. V. Douglas.
Bonwar, laird of— 279.
Bonymoone, laird of— (younger), 416.
Bonytoun, laird of— 132, 196.
Boquchanan. V. Buchanan.
Boquhane, laird of— 211, 298, 378. V. Buchanan.
Boquharrage, guid man of— 211.
Borland, laird of— 416.
Borthwick, lord— John, 3, 5, 63, 69, 73, 83, 131, 213, 296, 340, 372, 426, 433, 445, 503, 513, 567, 576, 605.
—— of Cruikſtoun, ...372.
—— of Halheriote, William, (younger), 324.
—— —— .....372.
—— of Hereot, William, 277.
—— James, 426, 433, 503.
—— lieuteneat colonell, 297.
—— William, 131.
Boſwall (Boſwell, Boſwald) of Auchinlech, (Affleck), David, 54, 133.
—— of Barlanothian, Charles, 300.
—— of Dunlair, Mungo, 300.
—— colonell, 338.
—— James, 80, 81.
—— John, (commiſſioner for Kinghorn), 426, 445, 503.
—— —— 554, 567, 576, 580, 586, 595, 596, 605, 608, 618, 621, 624, 626.
—— major Walter, 575, 582.
Bothwell of Glencorſe, Alexander, 277, 281.
Bountene. V. Buntyne.
Bowar (Bower) of Inuerichtie, Alexander, 416.
—— Alexander, 538, 542, 559, 567, 568, 574, 576, 595, 596, 605, 618, 624.
—— —— (younger), 302.
Bowhill, laird of— 302. V. Scott.
Bowmaker of Whitrig, George, 299.
Bowquhafill, laird of— 301.
Boyd, lord, 3, 92, 133, 300.
—— of Bankill, (Pinkhill, Penkil), Thomas, 29, 54, 133.
—— of Banuchel, James, 379.
—— of Temple, James, 213, 277, 324.
—— of Trochrig, Mr Johne, 167.
—— —— —— Mr Robert, 167, 300.
—— Androw, (in Loak), 488.
Boyll, John, 475.
Boyne, laird of— 198, 199. V. Ogilvie.
Boynton, colonell, 530, 537, 589.
Braidie, John, 297.
Braidiſholme, laird of— 132.
Braidmedowis, laird of— 302. V. Scot.
Bramfoord, Earle of— 551.
Branſhogle, laird of— (younger), 277. V. Barrinſchogall.
Brathinſche, laird of— 377.
Brechin, (Briechen), lord, 296, 302, 372, 377, 392, 426, 490, 522, 568, 576, 605.
—— —— George, 389, 503.
—— commiſſars of— 574.
Brei, laird of— 378.
Breiſtmylne, laird of— 587, 588.
Brigfuird, laird of— 300. V. Douglas.
Brigtoun, (Brightoun), laird of— 55, 69, 71, 73, 199, 302, 372, 377. V. Lyon, and Murray.
Briſbane. V. Birſbane.
Brochtoune, laird of— 302. V. Murray, and Ballantyne.
Brodie (Broody, Broddie) of that Ilk— laird of— 13, 19, 20, 55, 60, 61, 63, 69, 177, 178, 272, 287, 288, 299, 336, 340, 341, 372, 391, 400, 417, 460, 472, 492, 522,—lord, 531, 537, 568, 576, 606, 611.
—— —— —— —— Alexander, 4, 135, 269, 378, 426, 433, 434, 451, 452, 459,—Senator of the College of Juſtice, 465, 485, 504, 508, 513, 514, 538.
—— of Ballivat, Francis, 378.
—— of Lethem, (Lethin, Lethyne), Alexander, 27, 55, 135, 288, 300, 378, 411, 435.
—— —— —— —— (younger), 378.
—— of Terie, William, 378.
—— Francis, 281, 385.
—— Mr Joſeph, 492.
Broghtoun, the lady, 571.
Bromehall, (Broomehall), laird of— 608, 610, 612, 614, 615, 618, 621, 624.
Browne of Carſluith, (Cerſluith), John, 135, 214, 379. V. Carſluth.
—— of Coilſtoun, (Colſtoun), James, 131, 326.
—— of Compſtoun, Gilbert, 379.
—— of Dolphingtoun, William, 132, 279, 374. V. Dolphingtoune.
—— of Ferrietoun, Edward, 134.
—— of Fordell, Sir John, (knicht), 45, 274, 377, 426, 439, 442, 503. V. Fordell.
—— of Horne, John, 377.
—— of Mylnrig, (Mylnerig), Mr William, 374.
—— of Pittreuchie, James, 442.
—— of Steinſtoun, (Stevinſtoun), Mr Patrick, 300, 373.
—— of Thornyedykes, ... 132.
—— Adam, (miniſter), 441.
—— —— (commiſſioner for Jedburgh), 96.
—— Sir George, 442.
—— major George, 377.
—— George, (commiſſioner for Dundie), 93, 134, 373, 442.
—— James, (baylie of Muſſilburgh), 297, 324.
—— —— (burgeſs of Inverkeithing), 492.
—— —— 18.
—— Sir John, (colonell), 243, 258, 301, 314, 372, 389, 392, 425, 490, 510, 557, 573, 582, 586.
—— Mr Johne, (commiſſioner for Jedburgh), 199, 212, 375.
—— John, (clerk of Parliament), 14, 96, 126.

Browne, John, (younger, at the Brig-end of Dumfries), 302.
——— ——— (commiſſioner for Bruntiland), 297, 376.
——— Robert, 279, 300, 375.
——— Ronald, (portioner of Eliot), 377.
——— maſter, 338.
Bruce of Achinbowie, ... , 53, 135, 378. V. Auchinbowie.
——— of Balfoullis, James, 625. V. Balfoullis.
——— of Blairhall, Thomas, 301, 376.
——— of Carnok, Sir Edward, 274, 298, 301. V. Carnock.
——— of Clackmannan, Gilbert, (younger), 86. V. Cakmannan.
——— ——— ——— Sir Robert, (knight), 28, 54, 211, 299, 377.
——— ——— ——— Robert, (fiar), 299.
——— of Colpmalindie, George, 377. V. Culmalindy.
——— of Earliſchall, Sir Andro, 54, 134. V. Earlſhall.
——— of Fingaſk, William, 212, 301. V. Fingaſk.
——— of Gellets, (Gellats), Mr Robert, 297, 376, 432, 440.
——— of Hame, Walter, 304.
——— ——— ——— Williame, 56, 136.
——— of Holland, Alexander, 56, 136.
——— of Kennet, Mr Robert, 23, 54, 134, 211.
——— of Kincavill, William, 214, 279, 297.
——— of Kynnaird, Robert, (fiar), 298, 378.
——— of Powfoules, James, 581, 583, 584.
——— of Samboiſe, Mr Robert, 375.
——— of Schambody, Mr Robert, 299.
——— of Stanehouſe, Sir William, 53, 372, 378.
——— of Woodfyde, Mr Andrew, 299.
——— of Wrae, (Wray, Wrea, Ure), Mr John, 53, 133, 214, 257, 279, 297.
——— colonel Andro, 54.
——— lieutenent colonel, 490, 519, 522.
——— David, (in Alvath), 378.
——— George, 588, 589.
——— captain Harie, 299.
——— Harie, (ſon to the young laird of Clackmannan), 194.
——— Mr James, (miniſter at Kingſbarnes), 347.
——— Michaell, 625.
——— Mr Robert, (advocate), 188.
——— ——— ——— (miniſter at Aberdour), 230.
——— Robert, (ſon to William of Leyth), 379.
——— Thomas, (commiſſioner for Stirling), 4, 19, 53, 57, 73, 84, 93, 96, 122, 131, 135, 136, 138, 139, 177, 178, 199, 211, 223, 298, 378, 426, 433, 503.
——— Mr William, 297.
——— William, (lieutenent colonel), 376, 389, 392.
——— ——— ——— (portioner of Leyth), 379.
——— ——— ——— 376.
Brunthill, laird of— 303.
Bruntiland, bailyeis of— 581, 582.
——— commiſſioner for— 60, 75, 84.
Bruntisfield, laird of— 297. V. Fairly.
Bryce, Stephen, 449.
Brydie, Alexander, 82.
Bryſon, (Bryſſone, Bryſſoun), lieutenent colonel, 322.
——— Robert, 167.
Buccleuch, (Bacleugh, Buchugh, Buccleughe), Earle of— Francis, 3, 51, 57, 73, 133, 138, 139, 176, 178, 201, 212, 213, 222, 231, 245, 269, 272, 277, 296, 301, 302, 312, 328, 336, 372, 373, 375, 422, 425, 433, 434, 445, 491, 503, 533, 537, 538, 542, 561, 567, 575, 580, 586, 595, 596, 601, 605, 618, 623.
Buchanan (Boquchanane) of that ilk— laird of— 51, 53, 61, 63, 69, 73, 83, 93, 199, 211, 298, 372, 376, 378, 403, 435, 436, 440, 472 520, 530, 533, 542, 559, 561, 567, 568, 572, 576, 577, 602, 605.
——— ——— ——— George, 95, 135.
——— ——— ——— (younger), 134, 298, 376, 378.
——— of Ardinpryor, (Arnpryer, Auchinpryor), John, 134, 278, 376, 379.
Buchanan (Boquhanan) of Boquhane, Thomas, 211, 298, 378. V. Boquhane.
——— of Caſley, John, 378.
——— of Drummakill, Walter, 53, 135. V. Drumikil.
——— of Roſſe, Johne, 53, 135, 378.
——— of Sound, Thomas, (ſheriff of Orkney), 27, 56, 136, 379.
——— John, 441.
——— Katherine, 441.
——— Thomas, 298.
Buchane, Earle of— James, 3, 51, 138, 176, 178, 199, 267, 280, 296, 302, 303, 313, 618, 623.
Buchane of Portlethem, Robert, 280.
——— of Saphock, George, 303.
——— captain David, 542.
Buchattie, laird of— 377.
Buckingham, Duke of— 530, 537, 618, 624.
Budge of . . . . . David, 56, 136.
Bulmaghie, laird of— 135. V. Balmaghie.
Bultie, Robert, 574.
Bunſh, (Bunce), alderman, 614.
Buntyne (Buntein) of Ardoch, William, (younger), 53, 133, 298, 374. V. Ardoch.
——— of Kirktoun, Archibald, 279.
——— of Stuck, William, 279.
——— captain lieutenant, 581.
Burgeſs, John, (baillie of Dumfreis), 374.
Burghlie, (Bruglie, Burchlie, Burlie), lord— Robert, 3, 7, 19, 24—26 *incl.* 51, 57, 69, 71, 73—75 *incl.* 83—85 *incl.* 92, 95, 97, 119, 138, 139, 148, 153, 176—179 *incl.* 182, 199, 213, 219, 260, 271, 296, 297, 312, 320, 340, 341, 347, 372, 385, 396, 425—427 *incl.* 433, 434, 437, 440, 445, 503, 533, 541, 542, 554, 559, 563, 567, 568, 576, 578, 580, 589, 605, 607, 609, 618, 624.
——— the ſon of lord— 372.
Burneſyd, laird of— 624.
Burnet of Barnes, Mr William, 300. V. Barnes.
——— of Carloppis, (Carlingloups), Mr Alexander, 300, 373.
——— of Craigmyle, (Craigmilne), James, 55, 212.
——— of Leys, ... 55, 134, 212, 450.
——— of Sauchny, Thomas, 378.
——— Mr Alexander, 278.
——— Alexander, (tutor of Cringiltie), 132.
——— Andro, (burges of Abirdene), 397.
Burnmouth, laird of— 377.
Burnſyd, Johne, 595, 618.
Burrell, Robert, 91.
Burret, Jacob, 286.
Bute, ſhiref of— 296, 304.
Butler of Blanſe, Mr John, 410.
——— of Kirkland, Mr John, 373.
Butter of Argathie, William, 301.
——— of Gormock, Patrick, 301.
——— of Pitcullane, William, 399.
——— of . . . . . William, 416.
——— Andrew, 301.
Bymerſide, laird of— 133.
Bynnie, laird of— 568. V. Binnie.
Byning, (Binning), laird of— 279, 328. V. Hammiltoun.
Bymning, Thomas, 560, 599.
Bythe, laird of— 303. V. Forbes.

Cabbrach, heritors and tennents of— 592, 593.
Caddell, laird of— 27, 484. V. Calder, and Campbell.
——— of Lynacke, Charles, 56, 136.
——— of Lynagar, (Lynager), Charles, 280, 304.
——— of Skuthell, (Skudell, Skouthell), David, 56, 136, 379.
——— tutor of— 365, 378. V. Calder.
Cairden, Mr Alexander, 438.

Cairletoune, laird of— 214, 302, 304. V. Foullertoun.
Cairnes of Pilmure, William, 29, 299, 326.
——— William, 63.
Caithkin, laird of— 279.
CAITHNES, EARLE OF— 296, 372, 431, 525, 539.
Cakmure, laird of— 373.
Calder, laird of— 283, 403, 436. V. Caddell.
Calderhall, laird of— 277. V. Elvingſtoun.
Calderwood, Alexander, 297, 373.
——— Archibald, (baillie of Dalkeith), 277.
——— Mr David, 491.
——— Johne, (baily of Muſſelburgh), 131, 297.
Caldwall of that Ilk, William, 29, 54, 133, 199. V. Cauldwell.
——— the goodman of— 214.
Calie, (Calye), laird of— 214, 302. V. Lennox.
CALLANDER, EARLE OF— James, 3, 5, 6, 60, 63, 69, 71, 73, 83—85 *incl.* 89—95 *incl.* 97, 99, 102, 105—107 *incl.* 138, 158, 176, 178, 194, 199, 211, 214, 222, 227, 237, 250, 269, 272, 279, 286, 287, 290, 296—299 *incl.* 303, 313, 319,—lieutenent generall, 322, 323, 327, 328, 345, 346, 517, 552, 553, 555, 610, 616—618 *incl.* 623.
——— COUNTESS OF— 573.
Callander, (Calendar), George, (bailie of Kirkcudbright), 302, 379.
Cambo, laird of— 213, 297, 372, 525, 592. V. Myretoun.
Cambroun. V. Camron.
Campbell, lord— Neill, 539.
——— of Aberurchill, Coline, 281. V. Abirurchil.
——— of Abirlydnock, (Abirlednock), John, 377, 399.
——— of Achinbreck, (Auchinbrek), Sir Duncan, 4, 54, 134, 272, 375, 376. V. Achinbreck.
——— -- ——— Sir Dowgall, (Sir Dugald), 272, 345.
——— of Achirwilling, Robert, 54, 300.
——— of Ardchattan, (Archattan), John, 54, 95, 117, 134, 158, 303, 376.
——— of Ardemnie, Coline, 298.
——— of Ardeerfeir and Calcantrie, Colyne, 404.
——— of Ardintonnie, (Ardintoun), Coline, 303, 374.
——— of Ardkinlas, (Arkingleis, Ardkinglas), James, 30, 54, 134, 303, 375. V. Ardkinlas.
——— of Ardnamurchan, Sir Donald, (knight baronet), 54, 134, 303, 375.
——— of Barbreck, Colin, 54.
——— -- ——— Donald, 303.
——— of Bochaſtell, (Buchquſhatill), Colein, 278, 376.
——— of Both, Patrick, 55, 135, 300, 378, 403.
——— of Carrick, Duncan, 374.
——— of Carſegownie, George, 55, 134, 211. V. Carſgownie.
——— of Celnock, Sir Hew, (Sir Hugh), 29, 54, 133, 138, 139, 177, 178, 223, 269, 393, 426, 427, 432—436 *incl.* 503. V. Celnok.
——— of Claghlie, James, 502.
——— of Clathick, James, 279, 376.
——— of Clunes, Colin, 403.
——— of Cribnane, James, 301.
——— of Crunan, (Crunain, Crunam), George, 55, 245, 326, 377.
——— of Delnies, Colin, 300, 378.
——— of Denheid, Colline, 377.
——— of Domdorne, (Domdrorne), John, 285.
——— of Drumaſſane, Donald, 303.
——— of Drunifeyme, John, 303.
——— of Dundrone, (Duntrone), Duncan, 54, 134, 375.
——— -- ——— Neill, 303.
——— of Dunſtaffnage, (Dunſtaffnik), Archibald, (ſhiref depute of Argyle), 30.
——— of Edinample, John, 590, 596, 597.
——— of Elangrige, Duncan, 303.
——— of Glengarradell, (Glencarradill), Archibald, 54, 134, 303, 375.
Campbell of Glenurquhie, John, (ſiar), 134. V. Glenurquhie.
——— -- ——— Sir Robert, 4, 28, 54, 55, 134, 371, 375, 376, 422.
——— -- ——— — ——— (younger), 51.
——— of Inveraw, Dougal, 303,—lieutenant colonel, 481.
——— of Inverliver, (Inverlaive, Inverleive), Colin, 134, 375.
——— -- ——— Duncan, 54, 303.
——— of Kathik, (Keithik, Kathyke, Kethwik, Kethyke), Gilbert, (ſiar), 28, 55, 134, 301, 377, 399. V. Kethick.
——— of Kilmund, Archibald, 54, 134, 375.
——— of Kilmure, Archibald, 30.
——— of Kirkmichell, Donald, 54, 300. V. Kirkmichaell.
——— of Knockhill, Colin, 134. V. Knockhill.
——— of Lag, Mr Dougal, 54, 134, 303, 375. V. Lag.
——— of Laweris, Coleine, 301, 389. V. Lawers.
——— -- ——— colonel, 516, 540.
——— -- ——— James, (colonel), 366, 415.
——— -- ——— Sir Mungo, (colonel), 366, 415.
——— of Little Kethick, Donald, 377.
——— of Lochninell, (Lochinnel, Lochinyhell), Colin, 303.
——— -- ——— John, 54, 134, 375.
——— of Lundie, Coline, (ſiar), 376, 377.
——— -- ——— George, 302, 377.
——— of Moy, (Muy), Mr James, 299, 378, 439, 451, 464. V. Moy.
——— of Newmylnes, James, 300, 375.
——— of Otter, Archibald, 54, 134, 303, 375.
——— of Pimner, (Pennimoore), Alexander, 54, 132, 135, 282, 300, 379, 462, 483.
——— of Shankeſtoun, (Shenkſtoun, Skeanſtoun), John, 54, 133, 300.
——— of Souterhouſe, Coline, 492.
——— of Straquhir, (Straghirgtir), Coline, 54, 134, 375.
——— -- ——— colonel, 303.
——— Anna, 436.
——— Sir Archibald, 83, 94, 138, 139, 160, 177, 178, 197.
——— Archibald, (captain of Craigneis), 54, 134, 303, 375.
——— ——— (captain of Dunſtaffnage), 54, 134, 303, 375.
——— Coline, 132, 234, 563, 595, 596, 618, 624.
——— . . . . (the relict of Colyne of Ardeerſeir), 404.
——— colonel, 87.
——— Mr David, 593, 609.
——— Duncan, (bailey depute of Knapdail), 303.
——— ——— (captain of Carrick), 303.
——— ——— (captain of Dunoon), 303.
——— George, (Tutor of Calder), 27, 54, 134, 137, 303, 375. V. Caddell.
——— ——— (ſheriff depute of Argyle), 54, 134, 303, 304, 376.
——— ——— 30, 590, 592.
——— Hew, 449.
——— Mr James, (proveſt of Dumbartane), 199, 219, 403, 426, 433, 448, 469, 503, 518.
——— — ——— 425, 448, 472, 540.
——— James, (commiſſioner for Linlithgow), 281, 374, 426, 433, 503.
——— ——— (writer), 381.
——— ——— 448, 503.
——— John, (brother to Campbell of Aberurchill), 278.
——— ——— 30, 74, 94, 135, 300, 363, 365, 366, 379.
——— Jonet, (relict of captain McNab), 572.
——— William, 345.
Campſie, heritors of— 459.
Camron (Cambroun, Cameron) of Lochyell, (Locheil), Alane, 54, 134, 375. V. Lochyell.
——— -- ——— Evan, (Ewen), 303, 539.
——— Donald, (ſon to Camron of Lochyell), 54, 134, 375.
——— ——— 439, 449.
Camſtroddan, laird of— 279.
——— ——— (younger), 279.

Cannan, Beſſie, 205.
Canongait, baillies of— 56.
Cant of Colmieſtoun, Mr Andro, 323.
—— of Comerſtoun, Mr John, 122.
—— of Mortoun, Mr John, 277.
—— of Pentland, Johne, 28.
—— Mr Alexander, 492.
—— Mr Andro, (miniſter at Aberdeen), 394, 492, 541.
—— Mr John, 131, 253.
Canuchie, laird of— 213.
Capildrae, laird of— 490. V. Arnot.
Caplaine, Richard, (commiſſioner for Haddington), 96. V. Chaipland.
Caprington, laird of— 92, 285. V. Cunninghame.
Cardene, laird of— 211, 298, 328, 330, 607, 618, 623.
Cardrona, laird of— 278. V. Govane.
Cardroſſe, lord, 199, 285, 296, 301, 328, 415, 618.
—— parochineris of— 587, 588, 623.
Carick, (Carric), Earle of— 8.
Carick, laird of— 298.
Carletoun, laird of— 375.
Carlowrie, laird of— 93. V. Drummond, and Dundas.
Carmichaell of that Ilk, Sir James, (Knight), 127, 164, 165, 328,— theſaurer depute, 421, 434, 437, 507, 618.
—— —— —— Sir William, (ſier), 29, 51, 53, 83, 95, 132, 138, 139, 176, 178, 213, 297, 372, 374, 533.
—— of Balmedie, David, 55, 134, 301,—Sir David, 377. V. Balmadie.
—— of Edrem, Henry, 212. V. Edrem.
—— of Hyndfurd, Daniel, 189,—Sir Daniel, 374, 422,— treaſurer depute, 434, 437, 440, 503, 507, 618.
—— of Potiſhaw, James, 297.
—— colonel, 490.
—— maſter Fredreck, (miniſter at Markinch), 347, 375.
—— Hary, 373.
—— James, 374, 389, 392, 522.
—— Mr John, (commiſſioner for Lanerk), 29, 53, 214, 298, 374.
—— Walter, 481.
Carnegie, lord— James, 119, 278, 296, 302, 313, 558, 559, 561, 581.
—— of Balmamoone, (Banamoone, Bonamone), Sir Alexander, 5, 28, 55, 134. V. Balnamone.
—— of Banmathie, David, 302.
—— of Craig, Sir John, 416. V. Craig.
—— of Cruikſtone, Alexander, 302. V. Cruikſtoun.
—— of Newgaite, John, 302.
—— of Pittarrow, Sir Alexander, 4, 28, 55, 96, 199, 212, 416. V. Pittarrow.
Carnell, laird of— (younger), 212.
Carnewath, (Carnwath), Erle of— 104, 182, 211, 213, 283, 297, 298, 334, 371, 601, 606, 614—617 *incl.* 623.
—— —— —— Gawin, 213.
—— —— —— Robert, 3, 5, 6, 13, 44.
Carnock, laird of— 73, 74, 83, 85, 93, 607. V. Bruce.
Carntie, laird of— 484.
Carphin, (Carfine), laird of— 132. V. Baillie.
Carrutheris of Dormont, John, 298.
Carſane (Corſane) of Synnick, John, 302. V. Corſon.
Carſgownie, laird of— 377. V. Campbell.
Carſhore of that Ilk, ... 30.
Carſland, laird of— 416, 618.
Carſluth, laird of— 301. V. Browne.
Carſe, (Carſſe), laird of— 279, 302, 484.
Carſtairs of Kilconquar, Sir John, 376.
—— Andro, 595, 596.
—— Sir John, 213, 297.
Cary, Mr, 338.
Caſkieberrie, laird of— 297.
Caſkibyrion, laird of— 376. V Schonar.
Caſſe (Kerſe) of Cockpen, Marke, 131, 213, 277, 373. V. Cockpen.
Cassillis, Earle of— (Lord Kennedy), 3, 7, 13, 19, 52, 71, 73, 74, 83—85 *incl.* 90—95 *incl.* 99, 133, 138, 139, 155, 189, 194, 199, 202, 211, 212, 219, 237, 245, 296, 300—302 *incl.* 328, 334, 336, 340, 341, 351, 352, 372, 374, 375, 379, 491, 561, 567, 568, 575, 589, 590, 594, 596, 605, 608, 609, 611, 616, 618, 621, 623.
—— —— —— John, 57, 176—178 *incl.* 269, 347, 400, 424, 425, 427, 433, 434, 436, 437, 451, 452, 459, 460,—Juſtice Generalk, 473, 486, 503, 513, 514, 533, 534, 537, 538, 542, 553, 580, 618.
Caſſincarie, laird of— 214. V. Mure.
Caſtlehill, laird of— 302. V. Cuthbert, and Sprewell.
Caterlyne, (Keterlane), laird of— (younger), 377. V. Arbuthnot.
Cathcairt, (Cathcart, Cairthcairt), lord— Allane, 212, 300, 302, 340, 372, 375, 389, 392, 426, 433, 490, 503, 518, 522, 601, 605.
—— . . . . . of— 375.
—— of Cairletoun, Mr Hew, 54, 375.
—— of Cairnehill, Allane, (younger), 29, 133.
—— of Gannoche, John, 133, 374.
—— Mr Hugh, (tutor of Cairletoun), 54, 212, 300, 375.
—— miniſter of— 511.
Cauldwell of that Ilk, ... 302, 375. V. Caldwall.
Cavers, (Caveris), laird of— 29, 199, 542, 567, 580, 595, 596, 605, 609, 610, 618. V. Douglas, and Ker.
Cawder, Robert, (in Belhavin), 131.
Cawley, Mr, 338.
Ceſnok, laird of— 52, 92, 199, 212, 296, 300, 304, 372, 375, 417, 445,—Juſtice Clerk, 465, 498, 519, 521, 522, 587. V. Campbell.
Chaipland, (Chaiplen, Chaiplane), Richard, (commiſſioner for Haddingtoun), 93, 138, 139, 177, 178. V. Caplaine.
Challenar, Mr Thomas, 338.
Chalmer (Chalmers) of Gaitgirth, (Gadgirth), James, 29, 54, 133. V. Gaitgirth.
—— of Littlelour, George, 377.
—— James, 375.
—— Mr William, (miniſter at Boyne), 23.
Chancelor, the Lord, 19, 32, 35, 60, 61, 69, 71—73 *incl.* 83, 93, 95, 160, 231, 328, 338, 372, 381, 391, 395, 425, 441, 448, 491, 522, 533, 534, 567, 576, 596, 605, 621, 624.
—— of Steilhill, William, 298.
Chapman of Luncartye, ... 416.
CHARLES I. KING, 276.
—— II. —— 363.
Charteres of Amisfeild, Sir Johne, 51, 53. V. Amisfeild.
—— of Duchra, Robert, 29, 53.
—— of Glencorſe, Huch, 29.
—— captain Alexander, 519.
—— Alexander, 521.
Cheap of Ormſtoun, Mr Henry, 376.
Cheiſly (Cheiſla, Cheiſlie) of Kerſwell, (Carſwell), Mr John, 53, 214, 286,—Sir John, 289, 298, 321, 338, 348, 349, 362, 374, 404, 406, 424, 426, 433,—maſter of requeſts, 436, 504, 506.
Cheſter, lady, 448.
Chicheſter, colonel, 227.
Chiſholme of Comer, Alexander, 378.
—— —— —— Angus, 303.
—— of Harhop, (Hairhope), Thomas, 373.
—— Alexander, 283.
Chivers, Francis, 241.
Clackmannan, laird of— 134, 194, 286, 376. V. Bruce.
—— young laird of— 85, 96, 194.
—— commiſſioner for— 73, 392.
—— heritors of— 572.

Clackrie of Davenie, laird of— 375.
Claihills of Baldovie, ... 377.
Clairmonth, laird of— 297.
Clakraiche, (Glachriach), laird of— 303. V. Keith.
Clankenyie, the, 384.
Clanronald, captain of— 345, 473, 559.
Clarkſone of Couſland, Thomas, 374.
Clava, laird of— 303. V. Roſe.
Claverhouſe, laird of— 278, 302, 416. V. Grahame.
Claverin, colonel, 94.
Cleghorn, laird of— 132.
Cleilland, laird of— 298.
Clelandtoun, laird of— 132.
Cleiſh, laird of— 213, 297, 376. V. Colveill.
Clepen of Hedderſtakes, Mr Williame, 55.
Clerk, Mr George, 494.
Clerkingtoune, (Clarkingtoune), laird of— 199, 211, 231, 279, 297, 299, 326, 328,—lord, 542, 551, 553, 554, 561, 566, 567, 576, 580, 592, 605, 608, 610, 612, 614, 615, 621. V. Cockburne, and Scot.
——————, —— —— (younger), 297.
Cleveland, Erle of— 530, 537, 566, 567.
Clewae, laird of— 404.
——————, —— —— (younger), 404.
Cliftounhall, laird of— 297. V. Douglas.
Clofeburne, laird of— 132, 298. V. Kirkpatrick.
Cochrane, lord, 296, 300, 302, 312, 323, 328, 343, 345, 416, 595, 596, 608, 617, 618, 623, 624, 626. V. Cochrane of Cowdoun.
—————— of Babachla, (Barbauchley, Barnbachlay, Balbauchlaw), James, 4, 53, 133.
—————— of Bellancorik, Robert, 30.
—————— of Cowdoun, (Cowdane), Sir William, 29, 54, 86, 87, 96, 133, 138, 139, 176—179 *incl.* 219, 269, 272, 288. V. Cochrane, lord.
—————— Eliſabeth, 281.
—————— Mr John, (colonel), 104.
—————— Walter, 119, 214, 378, 531.
Cock (Coke) of Bea, James, 56, 136, 379.
—— major Bryce, 520.
—— Edward, 56, 136, 156, 379.
—— Walter, 119.
Cockburne, laird of— 299.
—————— of Clerkingtoun, Sir Patrick, 52, 95, 122, 130, 136, 138, 139, 176, 178, 269, 320. V. Clerkingtoun.
—————— of Langton, Sir Williame, 52, 132. V. Langtoun.
—————— of Ormeſtoun, John, 325, 426, 503. V. Ormiſtoun.
—————— of Ryiſla, James, 53,—Sir James, 132, 178, 199.
—————— major James, 473, 474.
—————— Jeane, 439.
—————— colonel John, 435.
—————— John, (proveſt of Haddingtoun), 4, 52, 122, 211, 279, 299, 326, 464.
—————— —— (governour of Stirling), 467.
—————— —— 518.
—————— William, 416.
Cockpen, laird of— 297. V. Caſſe, and Kerſe.
Coclirachie, laird of— 303.
Cogle (Cogil, Cougill) of that Ilk, Alexander, 55, 136.
—— —— —— —— David, (ſiar), 27, 55, 136, 304, 379.
Coke. V. Cock.
Coldinghamelaw, laird of— 299, 373.
Colgrane, laird of— 279. V. Denniſtoun.
Coline, James, (in Preſton), 299.
Collarnie, laird of— 297, 376.
—————— —— —— (younger), 297, 376.
Collen, (Colein), laird of— 212, 300, 302, 375. V. Kennedy.
Colliar, John, (commiſſionar for Kirkcaldie), 213.
Collingtoun, laird of— 277, 290, 296, 312, 324, 328, 561, 595, 596, 618, 623. V. Foulles.
Colpmalindy. V. Cultmalindy.
Colquhoun (Colwhoune) of Ballancrk, (Ballarnek, Ballermick), Robert, 53, 279, 298.
—————— of Balvie, (Balbie), Sir Vmphra, (Sir Humphrey), 4, 53, 133, 482, 483. V. Balvie.
—————— of Barnehill, Walter, 53.
—————— of Glennis, Adam, 135.
—————— of Kilmardinning, (Kilmadynnie, Kilmardon, Kilmerdonie), John, 30, 53, 133, 279, 298, 374.
—————— of Luſs, John, 374,—Sir John, 528, 529.
—————— of Milnetoun, 53.
Colſtoun, (Coilſtoun), laird of— 211, 279, 299. V. Browne.
Colveill of Blair, Mr Alexander, 376, 434, 435.
—————— —— —— —— —— —— (younger), 603, 606.
—————— of Cleich, (Cleyſche), Sir Robert, 54, 134, 376.
—————— Mr Alexander, 213, 297, 408, 435, 447, 464, 473, 475, 491.
—————— doctour, 158.
Colvin, Mr Alexander, 385.
Colvingtoun, (Covingtoun), laird of— 92, 279, 298.
Cominſyth, laird of— (younger), 377.
Commiſſar, the General, 317, 519, 522, 557.
Comrie, laird of— barone of— 278, 377, 396.
Congiltoun of that Ilk— laird of— 211, 279, 299, 373.
—————— —— —— —— Patrick, 131, 319.
Connyiehouſe, maſter of the— 553.
Conqueror, John, 212, 278, 301.
Copland, John, 213.
Corbat (Corbet) of Litlerani, John, 303, 378.
—————— of Towcorſe, Walter, 279.
—————— John, (eſquire), 13, 17.
—————— Mr Miles, 338.
Cordoch, laird of— 278.
Corhouſe, laird of— 279, 298. V. Bannatyne.
Cornwall of Bonhard, John, 214, 279. V. Bonhard.
Corſbie, laird of— 29, 73, 212, 300, 375. V. Fullarton.
Corſclays, (Corſcleys, Corſlayes), laird of— 212, 300.
Corſell, (Corſhill), laird of— (younger), 212, 300, 375.
Corſindae. V. Forbes.
Corſlain, laird of— 376.
Corſon (Corſane, Carſane) of Sannick, John, 379. V. Carſane.
—————— Mr John, (baillie of Kirkudbright), 53, 92, 135, 214, 280, 298.
Coſſens, (Coſſines), laird of— 211, 377. V. Lyon.
Covingtoun. V. Colvingtoun.
Cowane, Mr John, (dean of gild in Stirlin), 211, 298, 328, 595, 596, 607, 618, 624.
—————— Walter, 596.
Cowdoune, (Caudoune), laird of— 83, 84, 92—94 *incl.* 199, 212, 214. V. Cochrane, and Murray.
Cowgill. V. Cogill.
Cowpar, (Couper), lord— James, 3, 28, 51, 57, 71, 134, 138, 140, 176, 178, 219, 231, 247, 269, 283, 296, 301, 302, 336, 347, 365, 372, 377, 385, 389, 395, 397, 399, 418, 426, 433, 434, 439, 503, 533, 554, 559, 561, 567, 568, 576, 580, 584, 602, 605.
—————— of Fentounbarnes, Andro, 373.
—————— of Gogar, Sir John, (knight), 52, 131, 213, 296, 324. V. Gogar.
—————— commiſſioner for— 84, 85.
Coynag, laird of— 279, 303.
Cragivar, (Cragewarre), laird of— 91, 199, 267, 281, 288, 303, 378. V. Forbes.
Craichlaw, laird of— 211, 302. V. Gordoun.
Craig, colonel, 586. V. Craige.
Craigcaffie, laird of— 211, 302. V. Neilſon.
Craigdarroch, laird of— 298, 389, 392, 490, 522, 580, 595, 596, 618, 621, 623. V. Dalyell, and Fergulone.
Craige, (Craig), laird of— 211, 278, 279, 299, 300, 302, 410. V. Carnegie, Keith, and Hepburne.

Craige, laird of— (younger), 375.
——— of Riccartoun, Thomas, 45,—colonel, 243, 277, 372, 392.
——— Alexander, 373.
——— Robert, 494.
Craigence, laird of— 92, 214, 302, 375. V. Cunninghame.
Craighall, laird of— 92, 212—214 *incl.*—the lord, 277, 297, 299, 302, 373. V. Hope, Rattray, and Seatoun.
——— ——— ——— (younger), 301, 377.
Craigie Wallace, lady of— 486. V. Wallace of Craigy.
Craigie, laird of— 92, 302, 377, 393. V. Wallace.
——— ——— ——— (younger), 392.
——— of Dumbarny, Hew, 377.
——— of Gersey, Williame, 56, 136, 379.
——— of Kilgirston, Laurence, 377.
——— of Saude, (Sanday), John, 56, 136, 379.
Craigmillar, laird of— 131, 158, 213, 277, 296, 323. V. Preſtoun.
Cramond, miniſter and heritors of— 464.
Cranſtoun, (Crainſton, Cranſtounridle), lord, 3, 51, 54, 133, 277, 296, 301, 312, 542, 549, 550, 567, 576, 580, 605, 608, 610, 612, 614, 615, 618, 621, 624. V. Macgill.
——— maſter of— 51, 131.
——— of Glen, George, 132,—root maſter, 491, 522. V. Glen.
——— ——— ——— captain John, (younger), 392, 491, 522.
——— captain, 389, 392.
——— Hary, (brother to lord Cranſtoun), 54, 133, 301, 375.
Cranſtounriddel, laird of— 297, 618, 623.
Craw of Eiſtreſtoun, Robert, 299.
——— of Heuchheid, William, 299.
——— of Netherbyre, George, 299.
CRAWFOORDE, (Craufurd-Lindſay), EARLE OF— (Earle of Crawfurd and Lindſay), Ludovick. V. Lindſay, Ludovick.
——— ——— ——— 104, 140, 143, 240, 255, 296, 506, 559, 561, 594, 596, 618, 623.
——— ——— ——— John, 158,—vice preſident of Parliament, 161, 164, 165, 167, 176, 179, 192, 195, 198, 199, 213, 222, 230, 235, 241,—theſaurar, 269, 282, 286, 288—290 *incl.* 319, 323, 328, 334, 344, 345,—preſident of Parliament, 355, 370, 421, 436, 559, 561.
Crawfoorde of Camlarge, John, 512.
——— of Claverhill, (Cloberhill), Hugh, 30, 133, 298, 374.
——— of Crawfoordeland, Johne, 29, 54, 133, 178, 212, 300, 365.
——— of Deane, William, 480.
——— of Jordanhill, Cornelius, 133. V. Jordanhill.
——— of Kerſe, David, 54, 92, 133. V. Kerſe.
——— of Kilbirnie, Sir John, (commiſſioner for Ayr), 54, 96, 133, 138, 139, 177, 178. V. Kilbirnie.
——— ——— ——— John, 133.
——— of Kipbyres, James, 298. V. Kipbyre.
——— of Netherſkeldoun, Alexander, 300. V. Netherſkeldoun.
——— of Ribberres, ... 29.
——— Alexander, (merchant, burgeſs of Linlithgow), 214, 328, 343.
——— lieutenent colonel, (in Kelſoland), 375.
——— captain lieutenant, 581.
Crawfurdtoun, laird of— (lieutenent colonel), 533. V. Crichton.
Creiche, (Creigh), laird of— 213, 297, 376, 595, 596, 601, 605, 618, 623. V. Gray, and Beatoun.
Crichtoun (Creichtoun, Creightone, Chrichtoun) of Caſtelmaynes, John, 300.
——— of Crawfurdſtoun, (Crawfoorde John), John, 29, 53, 117, 132, 213, 298, 373. V. Crawfurdtoun.
——— of Lugtoun, Sir David, 52. V. Lugtoun.
——— of Ruthven, (Ruthen), James, 28, 55, 211. V. Ruthven.
——— ——— ——— Patrick, (commiſſioner for Forfarſhire), 96.
——— James, (brother to the Earle of Dumfries), 53.
——— ——— (herif of Nithiſdail), 298.
——— ——— (in Weſteraldie), 212, 278.
Crichtoun, William, (burges of Sanquhair), 280.
——— ——— 298.
Crimonmogate, laird of— 303.
Crogo, laird of— 302.
Cromartie, laird of— 303, 416. V. Urquhart.
——— ſhiref of— 279, 296, 384.
Crombie, (Crumbie), laird of— 278.
——— of Kemnay, Sir Thomas, 55.
——— Sir Alexander, 55.
——— ——— ——— (younger), 55.
Cromlix, laird of— 245, 519, 520.
Cromwell, Lieutenant General, 362, 511, 524.
Croſbie, John, (commiſſioner for Kirkcudbright), 96.
Crowmane, laird of— 212. V. Campbell of Crunan.
Cruikſtoun, laird of— 277, 297. V. Borthwick, and Carnegie.
Cuik, Thomas, 376.
Culcreuch, laird of— 298.
Cullairny, (Cullernie), laird of— 213. V. Barkley.
Cullen, George, (baillie of Aberdeen), 491.
Culter, laird of— 303.
Cultmalindy, (Colpmalindy), laird of— 212, 278. V. Bruce.
Cultoquhy, laird of— 416. V. Maxtoun.
Cuming of Racowcas, John, 28.
——— Jeane, 610.
Cumledge, laird of— 278, 299. V. Auchinleck.
Cumno, laird of— 416.
Cunninghame (Conynghame, Cunyghame) of Ballindalloch, Mr William, 28, 298.
——— of Balwhane, (Boquhaine, Bowhen), Alexander, 28, 53, 135.
——— of Barnes, John, 54, 134, 238. V. Barnes.
——— of Beidland, (Baidland), ... 375.
——— ——— ——— John, 133.
——— of Bonitoun, (Bonytoune), James, 214, 298, 374. V. Bonytoun.
——— of Bordland, John, 29. V. Borland.
——— of Bromehill, (Brounhill, Bremhill), Mr Williame, 53, 135, 379.
——— ——— ——— John, 280.
——— of Capriatoun, Sir William, 54, 117, 133, 272. V. Caprington.
——— of Coblehauch, James, 214, 257, 298, 374.
——— of Corſhill, Alexander, 54, 133. V. Corſell.
——— of Craigance, (Craigan), ... 4. V. Craigence.
——— ——— ——— William, 54, 133.
——— of Cunninghamheid, Sir William, 54, 117, 133, 336, 372, 375, 426, 427, 433, 434, 438, 503.
——— of Hillaketh, ... 375.
——— of Privik, (Privikis), Mr Adame, 29, 133. V. Privike.
——— of Sleid, Andro, 373.
——— of Snaid, (Snad), Andro, 213, 298.
——— of Woodehall, Mr Adam, 213, 324.
——— Alexander, (brother to the laird of Robertland), 416.
——— ——— 376, 595, 596, 618, 624.
——— Mr Cuthbert, 4.
——— Gabriell, (commiſſioner for Glaſgow), 199.
——— Harie, 4.
——— John, (baillie of Dumfries), 213, 374.
——— ——— 518.
——— colonel Robert, 195.
——— Mr Robert, (commiſſioner for Kinghorne), 54, 73, 84, 85, 93, 96, 131, 134, 136, 138, 139, 177, 178, 199, 223, 231, 269, 328, 336, 433.
——— Robert, 265, 566, 567.
——— captane Rychart, 416.
——— Mr Thomas, 17, 39.
——— Thomas, 70, 72, 105, 157, 264, 295, 483, 587, 588, 614.
Cunninghameheid, laird of— 212, 300, 391, 538. V. Cunninghame.
Currour of Howdon, George, 302, 373.

Cuthbert (Cudbert) of Braichly, (Breeklie, Brechlyes), James, 300, 378.
——— of Caſtelhill, John, 303. V. Caſtelhill.
——— of Draikes, James, 55, 135, 303.
——— of Towcorſeburne, Walter, 132.
Cuthberſon, Robert, 374.
Cutler of Oroland, (Orraland), John, 302, 379.

Daa, (Daw), Andro, (commiſſioner for Craill), 4, 55, 134, 138, 139, 213, 228, 276, 297.
Dairſie, laird of— 231, 297.
Dalgarno (Dalgerno) of Blakwater, William, 303. V. Blackwater.
——— of Garniſton, William, 55, 214. V. Garneſtoun.
Dalgetie, laird of— 518. V. Lyon.
Dalgleiſh, (Dagleiſh, Dalgleis), Mr Robert, 69, 246.
——— Mr William, (miniſter at Craumond), 347, 491, 539.
——— —— ——— 475.
Dalhouſie, Earle of— William, 51, 57, 131, 138, 139, 176, 178, 199, 213, 222, 231, 247, 277, 296, 314, 328, 594—596 *incl.* 618, 623.
——— the ſon of the Earl of— 296, 314.
Dalkeith, lord, 296.
Dallas of Boutyeit, Mr Alexander, (younger), 300. V. Dollace.
——— of Cantray, William, 300.
Dalmahoy of that Ilk, Sir John, 131, 277, 296, 324.
——— —— ——— (younger), 52, 277, 296, 324.
——— Sir John, 567, 575.
Dalmenie, miniſter of— 425.
Dalrumple of Waterſide, John, 132, 213, 298.
——— Mr James, 432.
Dalſerf, laird of— 29, 73, 83, 93, 374. V. Hammiltoun.
——— goodman of— 132.
Dalyell, the lord, 132.
——— laird of— 374.
——— of Binnes, ... 416.
——— —— ——— colonel Thomas, 573.
——— of Craigdarroche, Robert, 298. V. Craigdarroch.
——— of Johnſtoune thorne, James, 374. V. Johnſtoune.
——— —— ——— ——— Johne, 53, 132.
——— of Newtoun, Sir John, 217, 416. V. Newtoun.
——— of Weſtredmyre, Robert, 374.
——— Sir Robert, 530, 537, 601, 606.
Darcy, (Darſy), colonel, 530, 537.
Darleith of that Ilk, John, 53, 133, 279.
Darnly, (Darly), Henry, (eſquire), 24, 39, 50.
Darregill, laird of— 302.
Dauline, (Daulein, Dawling), James, (commiſſioner for Queenſferry), 73, 214, 279.
Davidſone (Daviſone) of Cairny, Mr William, 28.
——— Johne, 56, 136, 492.
——— Laurence, (proveſt of Sanquhar), 4, 374.
——— Robert, (commiſſioner for Dundee), 73, 84, 377, 426, 433, 503, 568, 576, 580, 605, 618, 624.
——— ——— (younger), 574.
——— Mr William, 285, 563.
Daw. V. Daa.
Dawick, laird of— 19, 71, 73, 83, 93, 278, 328, 373. V. Veitch.
——— —— —— (younger), 278, 296.
Dawling. V. Dauline.
Dederſe, laird of— 211.
Deinmylne, (Deanemylne, Denmylne), laird of— 19, 28, 69, 71, 73—75 *incl.* 83, 85, 93, 94, 213, 297, 376. V. Balfour.
Delgetie. V. Dalgetie.
Dempſter of Balbougie, (Barnbougie), Robert, 28, 54, 117, 122, 134. V. Balbougie.
——— of Balduthy, Robert, 376.
——— George, 377.
Denbigh, Earl of— 337, 404.
Denham. V. Denholme.
Denholme of Weſtſheild, (Weſtſheillis, Weſtſheal), Robert, 214, 298, 374.
——— John, 88, 437, 487, 517, 544.
Denmuir, laird of— 213.
Denniſtoun (Danieſtoun, Danielſtoun) of Colgrain, (Colgrene), John, 298, 374. V. Colgrane.
——— of Dalwharrie, (Dalwharne, Dalquharne, Dalquhorne, Dalthorne), John, 30, 53, 133, 279, 298, 374.
——— of Skapo, John, 278.
——— captain, 256.
——— James, (commiſſioner for Edinburgh), 4, 19, 52, 57, 131.
Denoone, Andro, (in Stangergill), 379.
Dernie, Johne, 40, 584.
Deſkfurd, lord, 302.
Dick of Braid, Sir William, 16, 39, 93, 94, 131, 138, 139, 177, 178, 183, 211, 213, 214, 222, 223, 236, 258, 271, 279, 297, 299, 317, 320, 373, 387, 415, 419, 426, 435, 439, 440, 442, 462, 479, 502, 503, 506, 520, 522, 523, 564, 567, 576, 605, 618, 624.
—— Andro, 593.
—— major Edvard, 68.
—— John, 297, 374.
—— Nane, 7.
—— lieutenant colonel William, 267.
Dickſone (Dixon) of Belcheſter, James, 299.
——— of Buchtrig (Bucherig) Robert, 212, 278, 299.
——— of Buſbie, Mr Johne, 374, 426, 433, 503.
——— of Hartmyre, Johne, 52.
——— of Hartrie, (Hairtrie), John, 132, 230, 278, 300, 336, 340, 341, 351, 352, 373, 392, 423, 426, 438, 440, 443, 461, 481, 488, 503, 506, 510, 570.
——— —— ——— Mr Alexander, (younger), 300, 341.
——— of Overmayns, Robert, 299.
——— of Stane, James, 298, 374.
——— Andro, 213.
——— Mr David, 167.
——— G. (in Hedderweik), 326.
——— Mr Johne, (dictator of the rolls of Exchequer), 603, 606.
——— Major, 400.
——— Margaret, 464.
——— Robert, (in Ednem), 375.
——— William, 279.
Dirletoun, Earle of— 298.
——— Countesse of— 521.
Dives, Sir Lewis, 318.
Dixon. V. Dickſone.
Dobie of Stonihill, ... 52, 213, 372.
Dog (Degge) of Ballingrew, David, 279, 301.
Dollace (Dollas, Dollos) of Budgit, Mr Alexander, (younger), 378. V. Dallas.
——— of Cowtra, (Cantra, Contrey), William, 27, 55, 135.
——— —— ——— 303.
——— John, (miniſter of Sydie), 510.
——— John, (in Arderſeir), 378.
Doller, ſewaris of— 621.
——— heritours of— 472.
Dolmahoy. V. Dalmahoy.
Dolphingtoune, laird of— 298. V. Browne, and Wilkie.
Donaldſone, David, (commiſſioner for Brechin), 96.
——— Eliſpeth, 397.
Done of Newtoun, Alexander, 299.
—— Alexander, (portioner of Littlenewton), 301.
—— John, 321.
Donmore. V. Dunmore.
Donypace. V. Dunipace.
Dornoch, proveſt of— 280.
Douglas, (Dowglas, Duglas, Duglaſſe), Marquesse of— 132, 245, 594, 617, 618, 623.
——— ——— ——— Archibald, 442.

Douglas of Arkland, ... 298.
——— of Barreſſe, Sir John, 280.
——— of Bauds, James, 373.
——— of Birkhill, John, 132.
——— of Blakeſtone, Sir Robert, 345. V. Blackſtoun.
——— of Boonejedburgh, Mr George, 29, 54, 272. V. Bonjedworth.
——— of Brigfoorde, Robert, 55, 117, 135, 212.
——— of Cavers, Archibald, (fier), 54, 133, 212, 301, 375. V. Cavers.
——— —— ——— Sir William, 133, 177, 178, 212, 301, 304.
——— —— ——— —— ——— (younger), 304, 375.
——— of Cheſter, John, 52.
——— of Cliftounhall, James, 373.
——— of Cowthrople, James, 373.
——— of Downies, Mr Alexander, 303, 377.
——— of Dronnock, (Dromok, Dornock), Archibald, 29, 53, 132, 213, 298, 373, 533.
——— of Drumdolo, Mr Alexander, 378.
——— of Dykis, James, 297.
——— of Frierſhaw, Andro, 301.
——— of Garvat, (Garvart), John, 301, 375.
——— of Gogar, William, 213, 373. V. Gogar.
——— of Heyſtoune, John, (fiar), 298.
——— of Kaiſtoun, John, (younger), 374.
——— —— ——— William, 53, 133.
——— of Kelhead, William, 53, 213.
——— of Kirkneis, (Kirknes), Sir William, 28, 55, 134.
——— of Lumiſdene, Archibald, 132, 278.
——— of Moreſtoun, Mr John, 299.
——— of Morton, (Mortoun), James, 29, 53, 132, 298, 374.
——— of Muldarg, Hector, (younger), 55, 135, 279, 323, 378.
——— of Muſewall, (Moſal, Mouſill), James, 29, 53, 95, 213, 298, 378, 389.
——— of Overgogar, William, 52.
——— of Penzerie, Mr George. 373. V. Douglas of Pymure.
——— of Pompherſtoun, Sir Joſeph, 214, 279, 297, 373.
——— of Pymure, (Phinyrie, Phinyearie, Pynerie), Mr George, 29, 53, 132, 213.
——— of Rayſtoun, Walter, 279.
——— of Spot, Sir Archibald, 52, 131, 211.
——— of Spynie, Alexander, 299, 378.
——— of Stanehouſe, John, 132, 213, 374.
——— of Stanipeth, James, 55, 135, 212, 300.
——— of Tilliquhillie, Sir Robert, 280.
——— of Winſcheills, Robert, 299.
——— Mr (Dr) Alexander, (commiſſioner for Bamff), 4, 8, 19, 55, 96, 119, 138, 139, 178, 336 426, 433, 503, 539, 540, 569, 608, 609, 616, 618, 624.
——— Archibald, 73.
——— David, 328.
——— Mr George, 92.
——— George, 519.
——— Henry, 459.
——— Sir James, 559, 561.
——— James, (portioner of Lintoun), 373.
——— Sir John, 160.
——— Mr John, (commiſſioner for Elgin), 4, 91, 119, 177, 178, 617.
——— John, 492.
——— Sir Joſeph, (lieutenent colonel), 374, 533.
——— Richard, 312.
——— Sir Robert, 132, 286.
——— colonel Robert, 594.
——— Mr Robert, (miniſter of Edinburgh), 9, 66, 110, 129, 256, 347, 422, 491, 544, 546, 550, 601.
——— Sir William, 372, 533.
——— Mr William, (miniſter at Aboyne), 487.
——— William, (brother to Queenſberry), 51.
Douning, Mr, 600.
Dow of Arnnall, John, (fear), 279, 301.
Dowcathel, (Dowkathall), laird of— 300, 375.
——— —— ——— (younger), 375.
Dowhill, (Dowchall), laird of— 297, 375.
Dronlaw, laird of— 302.
Drum, laird of— 13, 28, 90, 91, 268, 285, 296. V. Irwing, and Lundie.
Drumaſtoune, laird of— 302. V. Houſtoune.
——— —— ——— (younger), 302.
Drumcreich, laird of— 132.
Drumikil, (Drumakil), laird of— 211, 298, 378. V. Buchanan.
Drumire, miniſter of— 381.
Drummelly, laird of— 416.
Drummond, (Dromond), the lord— 51, 241, 416, 559, 560, 561, 575, 587.
——— of Ballach, (Balloche), 416.
——— —— ——— George, 117, 134.
——— of Broich, Patrick, 278.
——— of Carlowrie, Samuell, 29, 133, 297. V. Carlowrie.
——— of Coquellie, David, (fiar), 301.
——— of Corevachter, (Corewauchter), William, 567, 575.
——— of Drummondernoch, (Drummonderynoch), David, 301, 376.
——— of Innermay, David, 278, 301. V. Invermay.
——— of Lemach, (Leonach), Mr John, 301, 376.
——— of Machane, (Mauchanie, Machmay), Sir James, 55, 134, 416.
——— —— ——— James, (younger, fiar), 278, 301, 313.
——— of Meidhop, (Medope), Sir Robert, 29, 53, 122, 133, 214, 304, 374.
——— of Mylnenab, (Milnab, Milnabe), ... 278.
——— —— ——— James, 28, 134, 301.
——— of Pitcarns, (Pitcairns), Harie, 301, 416,—major, 575.
——— of Pittyellony, captaine, 564.
——— of Rickertoun, (Richardtoun), ... 416, 618, 624.
——— —— ——— William, 29, 53, 122, 132, 279, 297, 374.
——— Mr David, 189.
——— David, 517.
——— George, 530.
——— Harie, (rootmaſter), 87. V. Drummond of Pitcarns.
——— Sir John, 345.
——— Mr John, 485, 607.
——— Mary, 438.
——— Sir Robert, 200,—lieutenant general, 593, 609.
——— Samuell, 217.
——— colonel William, 567, 575.
——— William, (ſon to lord Madertie), 559, 560, 561.
Drumorell, laird of— 302.
Dryburgh, laird of— 302.
Dryſdaill, Alexander, 614.
Duchal, (Duchel), laird of— (younger), 280, 302.
——— Goodman of— 214, 302.
Duddingſtoun, laird of— 279, 438, 598, 604. V. Dundas, and Thomſone.
Duddop, (Dudhope), Viscount of— James, 3, 6, 28, 51, 57, 138, 139, 282, 296, 302, 314, 415.
Duff, John, 381.
Duffus, laird of— 231, 267, 296, 299, 313, 328, 372, 378, 379, 541, 542, 559, 560, 561, 567, 576, 605, 608, 609, 618, 623, 624. V. Sutherland.
——— tutor of— 378.
Dullape. V. Dunlope.
Dumbar (Dunbar) of Baldone, (Baldune), David, 117, 133, 211, 374. V. Baledone.
——— of Beggis, James, 300.
——— of Bennersfield, (Bennegfield), Alexander, 27, 303.
——— of Both, Alexander, 4, 55, 135, 300, 378.
——— of Burgie, Robert, 283, 300, 519.
——— of Dumphaill, James, 299.

Dumbar of Eaſterbin, Robert, 299.
——— of Grangehill, Niniane, 28, 55, 135. V. Grangehill.
——— of Hemprigs, John, 379.
——— of Kilboyak, Alexander, 411.
——— of Kittell, Patrick, 379.
——— of Knockſhannock, John, 498.
——— of Mochrum, John, 133. V. Mochrum.
——— —— ——— ——— (younger), 133, 302.
——— of Weſtfield, Alexander, 28, 55, 135.
——— David, (in Barmoth, Garmouth), 299, 378.
——— James, (in Alves), 299.
——— Mr Johne, 119.
——— Jonet, (relict of lieutenant colonel Bryſſoune), 322.
——— Nicholas, 299.
——— Thomas, (tutor of Grange), 27, 300.
——— ——— 282.
——— Mr William, 285, 378.
——— William, 282.
Dumbartan, commiſſioner for— 6, 73, 85.
——— heritouris of— 621.
——— provoſt of— 298.
——— provoſt and baillies of— 374, 548.
——— ſheriffe of— 274.
Dumfreis, Earle of— 3, 5, 296, 298, 300, 312, 328, 573.
——— commiſſioner for— 13, 392.
——— miniſter of— 488.
——— provoſt of— 304, 374.
Dun, (Dunn), laird of— 91, 134, 137, 278, 302, 303, 575. V. Erſkin, and Sinclair.
Dunbeath, laird of— 300, 303, 372, 389, 391, 392, 431. V. Sinclair.
Duncan, Catharine, 574.
——— Mr John, (miniſter at Culroſs), 347, 478.
——— Mark, 376.
——— William, 574.
Duncrub, laird of— 91, 134, 278, 376, 542. V. Rollock.
——— —— —— (younger), 376.
Dundas of that Ilk, ... 4, 20, 28, 51, 57, 73, 75, 83—85 *incl.* 122, 132, 179, 297, 374, 433, 491, 523, 567, 607.
——— —— —— —— (younger), 58, 132, 279, 297, 372, 374, 589.
——— —— —— —— George, 214.
——— —— —— —— Walter, (younger), 214, 347, 596, 599, 600, 604.
——— of Arnieſtoun, Sir James, 52, 117, 131, 213, 324. V. Arneſtoun.
——— of Carlaurie, Samuell, 95. V. Carlowrie.
——— of Dudingſtoune, (Dudiſton), Mr George, 29, 53, 133, 214, 279, 297, 347, 374, 426, 433, 503. V. Dudingſtoune.
——— of Feinyeis, (Feiageis), Sir John, 391.
——— of Fingaſk, Sir John, 377. V. Fingaſk.
——— of Maner, (Mayner), Mr George, 29, 53, 95, 115, 116, 122, 131, 133, 136, 177, 179, 214, 219, 260, 278, 301, 320, 480. V. Maner.
——— of Mortoun, Mr George, 297.
——— of Newliſtoun, Sir John, 132, 297, 373. V. Newliſtoun.
——— of Philipſtoun, David, 117, 214, 297.
——— of Prieſtmylne, Patrick, 297.
——— lieutenant Laurens, 508.
——— Mr Walter, 279, 297.
——— William, 374.
——— ——— (brother to the laird of Dudingſtoun), 598, 604.
Dundie, (Dondey), commiſſioner for— 13, 74, 75, 84, 85, 94, 205, 278, 588.
——— magiſtrates of— 481, 574.
——— bonatmakeris of the Hill of— 537.
——— Patrick, 278.
Dunduff, laird of— 416.
Dune, James, 516.
Dunfermline, Earle of— Charles, 3, 13, 20, 51, 57, 60, 63, 69, 71, 73, 83, 84, 93—95 *incl.* 131, 136, 138, 139, 176, 178, 213, 222, 223, 267, 269, 272, 285, 287, 296, 299, 303, 314, 328, 395, 431, 486, 543, 553, 554, 560, 561, 567, 575, 595, 596, 605, 613, 616, 618, 623.
——— Countes of— 267.
Dunipace, laird of— 20.
——— parochineres of— 549.
Dunlope, (Dunlap, Dullap), laird of— 212, 375.
——— of that Ilk, Allane, (commiſſioner for Irwing), 54, 96, 257, 300.
——— —— —— —— James, 133.
——— of Cada, Mr John, 132.
——— of Garinkirk, Mr John, 298.
Dunlugus, laird of— 303. V. Urquhart.
Dunmore, (Dunmure), laird of— 297, 376.
Dunmure, Mr David, 574.
——— Mr Johne, 574.
Dunoon, laird of— 302. V. Fothringhame.
Dunraggat, laird of— 302.
——— laird of little— 301.
Dunſkeath, laird of— 303.
Duntrone, laird of— 302, 377. V. Campbell.
Durhame, (Dureham), of Balloch, ... 55. V. Ballo.
——— of Duntervie, (Dintarvie), Francis, 53, 214, 297, 374.
——— of Grainge, (Grange), ... 211.
——— —— ——— William, (elder), 28, 55, 134, 281.
——— of Lardouny, James, 302.
——— of Omachie, Mr Williame, 28.
——— of Pityarrow, (Pitcairo, Pitkerraw), Mr James, 28, 55, 57, 134, 188, 211, 416.
——— of Powrie, James, 134, 211, 278.
——— A. 326.
——— major James, 575.
——— Mr James, 491, 607.
——— James, 55.
——— Mary, 400.
——— Thomas, (commiſſioner for Perth), 8, 19, 55, 57, 130, 136.
Durie, laird of— 595, 596, 618. V. Gibſoun.
——— Robert, 608.
Dyce, laird of— 303.
Dyſert, commiſſioner for— 60, 61.
——— parochineris of— 572.

Earlſhall, laird of— 213, 297, 303, 376. V. Bruce.
——— —— —— (younger), 297, 376.
Earlſtoun, laird of— 214, 372. V. Gordoun.
——— —— —— (younger), 214.
Eaſtoun, Mr James, 214.
Ecclis of Kildonane, John, (younger), 133.
Echt. V. Eight.
Edengeich, laird of— 404.
Edgar (Edger, Edyer) of Newtoun, George, 299.
——— of Peppermylne, Edward, 277.
——— of Wedderbie, John, 53.
——— Edward, (burgeſſe of Edinburgh), 122, 138, 139, 177, 296, 328, 416.
Edinburgh, baillies of— 461.
——— commiſſioner for— 6, 13, 20, 60, 61, 74, 75, 84, 94, 551, 585.
——— deacons of the kirk of— 462.
——— proveſt and baillies of— 51, 86, 159, 295, 317, 318, 389, 419, 421, 431, 535, 569.
——— proveſt of— 94, 269, 296, 335, 440, 475, 479, 485, 535, 538.
——— ſhirref of— 438.
Edingtoun, laird of— 373.

Edmiſtoun, laird of— 297. V. Raith.
——— of Boche, Mr Johne, 53, 299.
——— Jeane, 439.
——— Mr John, (tutor of Duntreth), 379.
Ednem, (Edname), laird of— 133, 212.
Edrem, laird of— 278, 299. V. Carmichaell.
Edward, Mr Humphrey, 338.
Edyell, laird of— 278, 285, 302, 372, 377, 481, 533. V. Lindſay.
——— lady of— 285.
Edyer. V. Edgar.
Eglintoune, Earle of— Alexander, 3, 5, 18, 52, 57, 73, 133, 138, 139, 176, 178, 201, 212, 214, 222, 231, 253, 269, 273, 282, 285, 289, 296, 300, 302, 323, 328, 336, 372, 375, 383, 384, 408, 413, 415, 425, 433, 434, 437, 445, 491, 503, 519, 520, 532, 535, 542, 554, 560, 567, 568, 575, 585, 591, 594, 605, 615, 617, 618, 623.
Eight, (Echte, Echt), laird of— 199, 372, 378, 389, 392, 394, 440, 481, 488, 490, 492, 522. V. Forbes.
Eilies, James, 277. V. Eleis.
Einzie. V. Enzie.
Eiſtertyrie, laird of— 303.
Eiſter Moncreif, laird of— 212, 365, 377.
Eiſtoun of Cowſtoun, John, 279, 297, 374.
Eizat, Alexander, 4.
Elcho, (Elhoe), lord, 51, 83, 91, 213, 264, 296, 313, 328, 372, 377, 389, 392, 490.
——— ——— David, 119, 347, 426, 433, 434, 503.
Elder, John, 212, 395.
——— ——— (younger), 374.
Eleis of Southſide, Patrick, 213, 277. V. Eilies.
——— James, 297.
Elgine, proveſt of— 299, 378.
Elibank, lord, 3, 61, 63, 69, 73, 75, 83, 93, 95, 131, 138, 160, 178, 211, 279, 285, 298, 302.
——— ——— Patrick, 138, 139, 153, 176.
——— maſter of— 298, 302.
Ellis, Mr John, (advocate), 432.
Elliot (Elliot, Ellet) of Craigend, Mr Gilbert, 29, 54, 212, 301, 375.
——— of Faineſch, (Falneſche), Archibald, 133, 212, 301.
——— of Grange, Gawne, 301.
——— of Middleſteed, Archibald, 373.
——— of Philop, (Philip), Archibald, 213, 373.
——— of Stobs, Gilbert, (younger), 301, 373, 375.
——— ——— ——— Williame, (commiſſioner for Roxburghſhire), 4, 5, 54, 92, 96, 133, 212, 301, 373, 375.
——— William, 84.
Elphinſton, (Elphingſtone, Elphingſtoune), lord— Alexander, 3, 7, 69, 73, 83, 95, 131, 136, 138, 139, 176, 178, 206, 265, 277, 298, 601, 605, 606.
——— maſter of— 277, 298.
——— laird of— 279, 299, 373. V. Johnſtoun.
——— of Cadderhall, (Calderhall), Henrie, 131, 442.
——— of Carſfyre, (Carfie), Harie, 298, 378.
——— ——— ——— Thomas, (younger), 135, 378.
——— of Glack, ... 303.
——— of Quarrell, Sir Robert, 378.
——— of Selmes, ... 603.
——— George, (ſone to the laird of Selmes), 603.
——— dame Helen, (lady Langtoun), 318, 481.
——— Michaell, 538.
——— captain William, (general adjutant), 265.
Elſynge, H. (clerk of the Engliſh Parliament), 14, 126.
Elvingſtoun, laird of— 211, 279, 373, 410. V. Inglis.
——— of Calderhall, Hary, 277. V. Elphinſton.
Empsfeild, laird of— 92.
Enterkine, laird of— 300, 375.
Enzie, heritours and tennents of— 592, 593.
Erleſhall. V. Earlſhall.
Erliſmill, laird of— 403.
Ernehill, laird of— 303.
Erroll, (Arroll), Earle of— Gilbert, 198,—grate Conſtable, 199, 256, 257, 267, 268, 296, 301, 303, 313, 328, 518, 519, 559, 561, 594, 596, 618, 623.
Erſkine, (Erſkin, Ereſkine, Erſkene, Areſkine), lord, 548, 559— 561 *incl.* 620.
——— of Ava, (Avath), Sir Charles, 372, 376, 378, 418, 433,— ſhirref of Stirling, 437.
——— of Balgonie, (Balgoune, Balgownie, Balgouny), Sir John, 122, 212, 278, 299, 301, 376, 378. V. Balgonie.
——— of Balhagerty, Thomas, 96.
——— of Bandeth, Sir Charles, 28, 54, 298, 372.
——— of Cambuſkeneth, Sir Charles, 53, 95, 115, 116, 134, 211, 299, 426, 427, 503.
——— of Din, (Dun), Sir Alexander, 51, 134, 177, 178.
——— of Dryburgh, John, (portioner), 299, 373.
——— of Otterſtoun, Sir George, 54, 134.
——— of Pittodrie, Thomas, 28, 55, 119, 135, 214.
——— ——— ——— ——— (younger), 119, 135.
——— of Rothney, (Rothmy), Alexander, 135, 378.
——— of Scottiſcraig, Arthur, 4, 54, 57, 134, 138, 140, 177, 178, 347, 376, 426, 433, 503, 507.
——— Andro, (in Alloway), 376.
——— Sir Arthor, 420.
——— Sir Charles, 51, 135, 177, 264, 323, 325, 376, 389, 392, 440, 422, 490, 519, 522, 532, 538, 540, 550, 567, 576, 605.
——— colonel, 522.
——— Helen, 502.
——— James, (burges of Culros), 376.
——— Sir John, 213, 297, 376.
——— colonel John, 479.
——— major, 84.
Eſcoge, laird of— 580, 621.
Eſkadill, laird of— 378.
Eſſilmonth, laird of— 286, 287.
Ethie, laird of— 300, 302. V. Murray.
Everie, (Ewerie), Barbara, 553, 555.
Ewar, M^r, 537. V. Uder.
Ewart of Mullock, John, (younger), 302, 379.
Ewing, Patrick, 374.

Faile, laird of— 212, 300. V. Wallace.
Fair, Robert, 621.
Fairfax of Camron, Thomas lord, 99, 294, 308, 310, 325, 362, 523, 524.
——— Sir Thomas, 306.
Fairfoull, Normand, (commiſſioner for Anſtruther weſter), 73, 96, 199.
Fairgirth, laird of— 302.
Fairly (Fairley) of Brunſfield, William, 213.
Fairnie, (Fairny, Ferny), laird of— 73, 213, 372, 376, 568, 605, 618, 623. V. Arnot.
——— ——— ——— (younger), 213, 376.
Fairningtoun, laird of— 133. V. Rutherfurde.
Falconer of Bruntoun, Sir John, 300.
——— of Drim, Robert, 55.
——— of Glenfarquhar, (Glenferquher), Mr David, 55, 134, 213, 300.
——— of Halcartoun, (Halkertoun), Sir Alexander, (younger, fiar, commiſſioner for Kincardineſhire, one of the Senators of the College of Juſtice), 4, 28, 55, 96, 131, 134, 136, 164, 177, 178, 201, 212, 265, 269.
——— of Newtoun, John, (fiar), 28.
——— ——— ——— Patrick, 28, 55, 135, 212, 300.
——— David, 588.
——— James, (portioner of Coultfauld), 299.
——— Sir Johne, 388, 416, 537, 585.

Falconer, John, 257.
——— Mr William, 492.
——— William, 521.
Falkirk, parochineris of— 549, 587.
Fallowſdaill, Janet, 450.
Farefoull. V. Fairfoull.
Farquhar (Ferquhar, Ferwhar) of Gilmilniſcroft, (Gilmilcroft), Robert, 29.
——— —— ——— (younger), 133.
——— of Munie, (Muney), Mr Robert, 28, 55, 119, 135, 303.
——— Alexander, 551.
——— Mr Robert, (provoſt of Aberdeen), 25, 177, 178, 201, 214, 223, 267, 269, 272, 274, 288, 322, 378, 435, 482, 494, 510, 521, 567, 576, 605,—Sir Robert, 607—610 *incl.* 615, 618, 624.
Farquharſoune (Ferwherſoune) of Inveray, James, 483.
——— of Invercauld, (Invergauld), Robert, 28, 55, 135, 385.
Farſon, Norman, (commiſſioner for Auſtruther weſter), 4.
Fea of Clayſtrain, James, (younger), 56, 136.
Fedrett, laird of— 283. V. Irwing.
Feinyeis, laird of— 278. V. Dundas.
Feirme, laird of— (younger), 279.
Fendraught. V. Frendraught.
Fenwick, Robert, 112, 113.
Ferguſone (Ferguſſone) of Caitloch, Thomas, 29, 53, 132, 213, 298, 373.
——— —— ——— Mr William, (younger), 373.
——— of Craigdarroche, Robert, 213, 373. V. Craigdarroch.
——— of Ile, Alexander, 29.
——— Johne, (burges of Aire), 75, 217.
——— ——— 610.
——— Thomas, 92.
——— . . . . . 375.
Ferny, (Fairnie), laird of— 297, 576, 595, 596. V. Fairnie.
——— ——— ——— (younger), 297.
Ferquhar, (Ferwhar), Mr Robert, 11. V. Farquhar.
Ferrie, David, 297.
Ferres, Mr Alexander, (miniſter at Crathie), 491.
Fiddes, laird of— 390, 377.
Fife, commiſſioner for— 73.
Findawrie, (Fendowrie), laird of— 134, 302, 377. V. Arbuthnot.
Findlater, (Finlater, Finlator), Earle of— James, 52, 119, 176, 178, 198, 199, 212, 219, 220, 222, 234, 241, 269, 282, 296, 302, 317, 328, 415, 618, 623.
Findraſſie, (Finraſſie, Findroſſie, Findruſſie), laird of— 279, 299, 303, 378.
Fingaſk, laird of— baron of— 212, 213, 297, 376, 491, 537. V. Bruce, Dundas, and Weemes.
Finglaſſie, laird of— 297.
Finlay, Katharine, 468, 486.
Finlone, Alexander, 39.
Finmont, laird of— 297, 376.
Finraſſie. V. Findraſſie.
Fintrie, laird of— 253, 278, 302, 529. V. Grahame.
——— ——— ——— (younger), 302.
Fleming, (Fleiming, Fleeming), lord, 92, 132.
——— of Balloch, (Barlouch), Mr James, 279, 374.
——— of Barrochane, Patrick, 54, 133.
——— of Oxgang, James, 374.
——— Mr Archibald, 132, 167, 449.
——— Robert, (commiſſioner for Edinburgh), 73, 83, 569.
Fleſcher (Fleſchour) of Ballinſhe, Robert, 416.
——— Mr John, 23
Fletcher of Innerpeffer, Sir Andrew, (knight, Senator of the College of Juſtice—one of the Lords of Seſſion), 164, 188, 269, 319, 370, 416.
——— —— ——— Sir Robert, (younger), 299.
Folwode, laird of— (Sempill), 30. V. Fulwoode.
Foord, laird of— 211, 279, 299.
Forbes, lord, 91, 119, 135, 303.
——— maſter of— 176, 214, 296, 313, 372, 378, 389, 392, 394, 490.
——— ——— ——— William, 426, 503, 522.
——— laird of— 91.
——— of Allathane, George, 502.
——— of Ardmurdo, John, 214.
——— of Aſlowane, (Aſloune), ... 303.
——— —— ——— John, 134, 214, 378.
——— of Auchintoull, Alexander, 378, 411, 435.
——— of Auchythie, Thomas, 378.
——— of Barnes, Robert, 378. V. Barnes.
——— of Bythe, John, 214.
——— of Camphill, (Camphell), Duncan, 214, 378.
——— of Cloak, James, 214, 378.
——— of Corſinday, ... 303.
——— —— ——— William, (younger), 134, 135, 214, 378.
——— of Craigievar, Sir Williame, (commiſſioner for Aberdene), 28, 55, 96, 117, 119, 135, 138, 139, 177, 178, 201, 214, 219, 220, 222. V. Cragivar.
——— of Culloden, (Colladon, Callodine), Duncan, 55, 135, 177, 178, 279, 303, 489, 494.
——— —— ——— John, (proveſt of Inverneſs), 303, 378, 426.
——— of Eicht, Arthur, 119, 135, 214, 219, 222, 303, 377, 426, 433, 503. V. Eight.
——— —— ——— Robert, 55.
——— of Invernochtie, (Invernachty), Arthur, 214, 303, 378.
——— of Knockquharrie, (Knockquhairne), John, 214, 378.
——— of Largie, John, 378.
——— of Largino, John, 303.
——— of Leſlie, John, 91, 119, 135, 189, 303, 394, 472. V. Leſlie.
——— —— ——— William, (younger), 119, 135, 214, 303.
——— of Monymuſk, Sir William, 214. V. Monymuſk.
——— of Mylnebowie, colonel George, 284.
——— of Rires, (Rearis), Robert, 134, 441. V. Rireſſe.
——— —— ——— William, (younger), 28, 54, 134.
——— of Tolwhen, (Tolquhen, Tolchone), Walter, 55, 135, 214. V. Tolquhone.
——— of Watertoun, Thomas, 135, 214, 286, 287. V. Watertoun.
——— Alexander, (tutor of Pitſligo), 55, 135, 214, 378.
——— colonel Arthur, 389, 492, 521.
——— Mr Duncan, 119, 177, 178, 281, 385, 492.
——— Elizabeth, 465.
——— Francis, 266.
——— Jeane, (wyff of Leithe of Hairthill), 608.
——— John, (proveſt of Inverneſs), 231, 269, 281, 426. V. Forbes of Culloden.
——— ——— 328, 444, 447, 503, 567, 569, 576, 605, 608, 614, 618, 624.
——— . . . . 543.
Fordell, laird of— 297, 376. V. Browne, and Henderſone.
——— ——— ——— (younger), 376.
Fordelcorſe, laird of— 277.
Forfar, commiſſioner for— 73.
Forres, proveſt of— 299.
——— Alexander, 435.
Forreſt of Dinniveir, David, 378.
——— of Queinſhauch, Robert, 379.
——— of Rachahill, Robert, 379.
——— Alexander, (maiſter), 439.
——— Johne, (bowmaker, burges of Edinburgh), 44.
Forreſter, lord— George, 3, 51, 57, 61, 63, 69, 71, 73, 83, 93—95 *incl.* 131, 138, 140, 153, 176, 178, 206, 213, 230, 277, 296, 433, 503.
——— of Cullinad, (Colinald), Alexander, 303, 503.
——— of Denovane, David, 277.
——— Alexander, (commiſſioner for Tain), 4.
——— Margaret, 473.
——— Robert, 205.
Forret, laird of— 297.

Forret, Criſtian, 365, 381.
——— Mr David, (miniſter at Kilconquhar), 347, 491.
Forth, Earle of— Patrick Ruthven, 104, 140, 143, 145, 530, 537.
Forthir, (Forther), laird of— 213, 297, 376.
——— ——— ——— (younger), 213.
Fothringhame (Forthrenghame) of Dunnune, (Dinun), Thomas, 28, 55, 134, 211, 278. V. Dunnoon.
——— of Powrie, Thomas, 55, 134.
——— Mr John, (tutor of Powrie), 278, 302.
——— ——— ——— 211.
Foulden, (Fouldean), laird of— 212, 278, 299. V. Wilkie.
——— ——— ——— (younger), 212, 278, 299.
Foullerton. V. Fullarton.
Foulles (Fowles) of Collingtoun, Sir James, (knight), 52, 117, 131, 199, 213, 222, 269, 272, 324.
——— of Ravelſtoun, George, 52, 63, 72, 131, 213, 277, 297.
——— Mr Alexander, 63.
——— Mr Harie, 521, 583.
Foulwood, laird of— 199, 274, 298. V. Fulwood.
FRANCE, KING OF— 530.
France, Cardinal of— 345.
Frafer (Fraiſer, Friſſil, Frizell), lord— 3, 91, 135, 176, 198, 212, 214, 268, 285, 300, 372, 377, 378, 394.
——— ——— Andro, 176, 178, 377, 378, 394, 426, 433, 503.
——— ——— Williame [?], 119.
——— ..... (the ſon of lord Frafer), 372. V. the maſter of.
——— the maſter of— 176, 212, 372, 377, 378.
——— clan of— 416.
——— of Balyordie, Mr Patrick, 377. V. Balyordie.
——— of Belladrum, Hugh, 27, 279, 303. V. Belladrum.
——— of Bray, (Brae), Sir James, 27, 269, 279, 303, 433, 438, 465, 503.
——— of Culboky, William, 279, 303, 378.
——— of Dolles, Sir James, 119.
——— of Foyer, Hew, 303.
——— of Kinmwndie, Francis, 214, 378.
——— of Kinneries, (Kenneries, Kynnaries), colonel Hugh, 243, 279, 303.
——— of Phillorth, Alexander, 4, 55, 119, 135, 214. V. Phillorth.
——— of Streichin, Thomas, 117.
——— ——— ——— ——— (younger), 55, 135, 214.
——— of Strowie, (Strwy), Hew, 303.
——— ——— ——— Thomas, 279.
——— Alexander, (tutor of Lovat), 533.
——— doctor, 530, 537.
——— colonel Hew, 392.
——— Hew, 314.
——— Sir James, 52, 267, 285, 296, 365, 372, 378, 418, 469, 484, 491, 498, 508.
——— James, 502.
——— William, 526.
Frendraucht, (Fendraucht), Vicount of— James, (lord Chrichtoun), 3, 91, 119, 135, 176, 178, 198, 214, 296, 302, 303, 314, 526, 539.
Frendraucht, lady, 540.
Freuch, laird of— 211, 302. V. Macdowell.
Frieland, (Freeland), laird of— 199, 212, 278, 336, 365, 372, 391, 448, 567, 568, 576, 580, 593, 605. V. Ruthven.
Fry, Mr, 338.
Fuird. V. Foord.
Fullarton of that Ilk, James, 54.
——— ——— ——— John, 133.
——— ——— ——— Williame, 301, 377.
——— of Cairletoun, Johne, 29, 58, 135, 379. V. Cairletoune.
——— of Corſbie, ... 4.
——— of Kinnaber, (Kynnaber), John, 211, 302.
Fulwood, (Fulewood), laird of— 214, 279, 304, 372, 375. V. Folwode.
Furdiſtoun, laird of— 212.
Futhie, Alexander, (commiſſioner for Aberbrothok), 302.

Gadgirth. V. Gaitgirth.
Gadyard, laird of— 392.
Gainoch, laird of— 302.
Gairden, (Gairne, Garne, Garden, Gardyne), laird of— 278, 302.
Gairden of Appelgirth, Johne, 53. V. Applegirth.
——— of Middletoun, John, 302.
——— George, (commiſſioner for Bruntiland), 54, 57, 84, 93, 94, 96, 122, 134, 138, 139, 177—179 *incl.* 199, 213, 219, 260, 320, 328, 426, 433, 503, 542, 554, 566—568 *incl.* 576, 580, 586, 597, 605, 608, 615, 618, 624.
——— John, 377, 378.
Gairlarge, laird of— 302, 379. V. Garlarg.
Gairlies, lord— Alexander, 166, 236, 302, 304, 312. V. Garlies.
Gairnes of Pilmoore, William, 131.
Gairntellie, laird of— (Stuart), 278. V. Grantullie.
Gaitgirth, (Gadgirth), laird of— 212, 300, 372, 375, 490, 522. V. Chalmer.
Galloway, (Gallowey), Earle of— 3, 12, 73, 133, 211, 372, 594—596 *incl.* 618, 623.
Galloway of Todiſhauch, Francis, 374.
——— Sir James, 123.
——— ſhirref of— 29, 99, 231, 391, 481.
Gallowſheills, laird of— 302, 310. V. Scott.
Galſtoun, (Gaſtoun), laird of— 300, 375. V. Stuart.
——— ——— ——— (younger), 212, 300.
Gamiſcheillis, laird of— 299. V. Home.
Gardyne. V. Gairden.
Garlarg. V. Gairlarge.
Garlies, lord, 52, 92, 133, 211, 296, 301. V. Gairlies.
Garneſtoun, laird of— 378. V. Dalgarno.
Garntullie. V. Grantullie.
Garrive, laird of— 375.
Garthland, laird of— 13, 19, 29, 52, 133, 143, 199, 211, 290, 296, 302, 314, 328, 343, 345, 623. V. Macdowell.
Gartlie, (Gartlay), heritours and tennents of— 592, 593.
Gartſhore, (Garſhore), laird of— 279, 298.
Gaſk, the lord, 51.
——— laird of— 212, 376. V. Murray, and Oliphant.
Gavie, William, (ſkipper), 479.
Gawdielands, laird of— 375. V. Scott.
Gawye, John, 376.
Gedd of Baldrig, 573.
Geddes of Kirkurd, James, 278. V. Kirkurd.
——— of Rachan, (Rawchan), James, 52, 132.
——— Thomas, (in Mosfennan), 373.
Geicht, laird of— 91, 157. V. Gordoun.
Gellie, Mr John, (miniſter), 282.
Gelſtoune, laird of— 302. V. Glendonning.
General, the lord, 9, 17, 57, 60, 69, 102, 205, 235, 244, 246, 256, 362, 389, 391, 398, 522, 532, 590, 618, 624.
——— the lord lieutenant, 106, 193, 246, 328, 362, 385, 472, 510, 517, 518, 521—523 *incl.* 526, 541, 547, 549, 551, 558, 560, 572, 586, 593, 618.
——— the major, 517.
Gevane, Beſſie, 282.
Gib, Sir Harie, 63, 197, 328, 334, 346.
Gibſoune of Alderſtoun, John, 131,—Sir John, (knight), 249, 277, 278. V. Alderſtoune.
——— of Bonerd, Mr George, 416.
——— of Durie, Sir Alexander, (knight, clerk of regiſter), 102—104 *incl.* 146, 164, 177, 213, 223, 269, 319, 328, 370, 416.
——— of Haddiſtoun, John, 213.
——— of Muldarie, James, 299.
——— of Pentland, Sir John, 416.
——— Mr George, 411.
——— James, 23, 68, 160, 231.

Giffin . . . . . (merchant in Glaſgow), 19.
Gilchriſt, John, 508, 509.
Gilhagie, James, 279, 298.
Gilleſpic, laird of— 302.
Gilleſpie, Mr George, 59, 520.
——— John, (ſkippar), 485.
——— maiſtris, 525.
——— Mr Patrick, (miniſter), 472, 491.
Gillon of Walhouſe, John, (younger), 374.
Gilmerſcroft, (Gilmeliſcroft), laird of— (younger), 300, 375. V. Farquhar.
Gilmor, Mr John, 302.
Glaisford, John, (baillie of Cowpar), 297, 376.
Glanderſtoun, laird of— 302, 375, 462. V. Home.
Glaſgow, commiſſioner for— 6, 21, 69, 71, 74, 84, 85, 94, 143, 583, 584.
——— miniſteris of— 582.
——— proveſt and baillies of— 214, 298, 334, 345, 374.
Glaſwall, laird of— 266.
Gledſtanes (Glaidſtanes) of Coklaw, Walter, 301.
——— of Todſchawhauch, Robert, 301.
——— of Whiklaw, John, 301.
——— Thomas, 435.
Gleghorne, ... 378.
Glemham, Sir Thomas, 295, 318.
Glen, laird of— (younger), 278, 372, 373. V. Cranſtoun.
——— Andro, 580, 585, 595, 596, 607, 615, 617, 618, 624.
——— James, (elder), 297, 389, 392.
Glenbervie, laird of— 300.
GLENCARNE, EARLE OF— 3, 5, 52, 69, 73—75 *incl.* 88, 85, 92—95 *incl.* 136, 143, 178, 190, 212, 214, 288, 289, 296, 300, 302, 312, 328, 383, 398, 413, 594, 596, 615, 617, 618, 628.
——— ——— ——— William, 57, 71, 73, 188, 139, 176, 222, 223, 269,—Juſtice General, 381.
Glencarne, heretors of— 398.
Glendonning (Glendinning) of Gelſton, William, 379, 532.
——— of Lagges, John, 379.
——— of Mochrum, George, 29, 53, 135.
——— William, (proveſt of Kirkcudbright), 4, 29, 53, 57, 135, 138, 140, 177—179 *incl.* 199, 214, 223, 250, 269, 338, 348, 349, 362, 404, 406, 424, 426, 433, 504.
Gleneglefe, (Glenegeis, Gleneageis, Glennegeis), laird of— 160, 212, 278, 372, 533. V. Halden.
——— lady, 551, 553, 564.
Glenkindie, laird of— 55, 303, 378, 439, 542, 616. V. Strachan.
Glenturkie, laird of— 279.
Glenurquhie, (Glenurwhie), laird of— 30, 91, 243, 257, 278, 301, 303, 326, 376, 377, 396, 403, 422, 465, 473, 479, 486, 494, 502, 548, 572, 593, 595. V. Campbell.
——— ——— ——— (younger), 199, 257, 278, 296, 301, 303, 376, 396, 518.
Gleſnok, laird of— 302.
Goff, doctor, 530, 537.
Gogar, laird of— 277. V. Cowpar, and Douglas.
Goldman of Samphurd, ... 297.
Goodman, William, 376.
Goodwin, (Goodwyn, Goodwein), Robert, 112, 113, 290.
Gordoun, (Gordon), lord— George, 52, 79, 91, 93, 119, 135.
——— of that Ilk, Sir Robert, 28, 55, 135.
——— of Achanachie, ... 55.
——— of Badinſcoith, Patrick, 303. V. Badinſhothe.
——— of Ballone, Hew, 379.
——— of Balmeg, ... 302.
——— of Bellietuith, George, 379.
——— of Bifmoir, Alexander, 303.
——— of Bracco, Mr Patrick, 21.
——— of Brora, Hew, 379.
——— of Cardines, (Cardens, Gardines), John, 4, 53, 135.
Gordoun of Carrell, (Carrall), Alexander, 27, 56, 135, 280, 299, 379.
——— of Cockclarochie, ... 28.
——— of Crachlaw, (Craichland Crarochlaw), William, 29, 53, 133, 374. V. Craichlaw.
——— of Doil, (Doll), William, 299, 379.
——— of Drunjoy, Hew, 299.
——— of Earliſtoun, (Erleſtoun, Erſeltoun, Erſleton), Alexander, 29, 53, 130, 135, 136, 379.
——— —— ——— John, (appeirand), 53, 135.
——— —— ——— Mr William, 302, 379.
——— —— ——— William, (younger), 379.
——— of Embo, Sir John, 56, 136, 280, 299, 379.
——— —— ——— Sir Robert, 498.
——— of Enrick, John, 379.
——— of Geight, ... (younger), 104. V. Geicht.
——— of Glaſchorie, ... 55.
——— of Glaſnik, Patrick, 374.
——— of Glenluce, David, 379.
——— of Gordounſtoune, Sir Ludovick, (Lewis), 439, 503.
——— —— ——— Sir Robert, 299.
——— of Grange, Robert, 280, 379.
——— —— ——— William, 211, 374.
——— of Haddo, Sir Johne, 21, 22, 87.
——— —— ——— Johne, (younger), 21, 22, 87.
——— of Holme, William, 379.
——— of Kinbo, ... 117.
——— of Kirkconnell, Robert, 379.
——— of Knokbrax, (Knokbex), Robert, 53, 135, 214, 379.
——— of Knokgray, Alexander, 53, 135, 214, 379.
——— —— ——— John, (younger), 379.
——— of Monymore, William, 345.
——— of Moy, Hugh, 379.
——— of Newmylne, William, 377.
——— of Pennyghame, William, 302.
——— of Pithurg, Mr Robert, 28.
——— of Robertoun, Robert, 214.
——— —— ——— William, 379.
——— of Rothemay, ... 303.
——— of Ruſco, John, 379.
——— —— ——— lieutenant colonel, 302.
——— of Sallach, Gilbert, 379.
——— of Schirmers, (Shirmours), William, 302, 379.
——— of Siddrey, Alexander, 379.
——— of Straloch, (Straeloche), . . , . . 303.
——— —— ——— Mr Robert, 55, 235, 366.
——— of Traquhane, Roger, (younger), 379.
——— of Tulloch, William, 397.
——— of Uppat, Alexander, 379.
——— Alexander, 379.
——— captane, 17.
——— Eliſabeth, 239.
——— George, (MARQUIS OF HUNTLY), 258, 329.
——— Helen, 485.
——— James, (lord Aboyne), 197, 258, 329. V. Aboyne.
——— ——— (proveſt of Newgallowey), 302.
——— Johne, (ſervant to Sir Johne Gordoun of Haddo), 21, 22.
——— ——— (in Kilpatrick Durhame), 488.
——— Jonet, (relict of Gordoun of Tulloch), 397.
——— Lewes, (ſon to the Marquis of Huntly), 258, 448, 586, 587, 592.
——— Sir Ludovick, 300, 334, 378.
——— Ludovick, 438.
——— Marjorie, (ſpous to John Leſly of Durnay), 608.
——— Nathaniel, 198, 105, 397.
——— Sir Robert, 304, 378, 508.
——— ——— ——— (ſiar of Rubo), 379.
——— Mr Robert, 21.
——— Robert, (merchant in Air—commiſſioner for Newgalloway), 4, 75, 217, 379.

Gordoun, captain William, 538.
——— Mr William, 214.
Gorgunnuch, the lady, 465.
Gormach, laird of— 416.
Gormock, laird of. V. Butter.
Gorthie, laird of— 416, 519. V. Grahame.
Gosfoord, (Gosfuird), laird of— 279, 299.
——— ——— ——— (younger), 299.
Govane of Cardrono, William, 29, 52, 132, 300, 598, 600. V. Cardrona.
——— captain William, 604.
Gourlay (Gurlay, Gourley) of Calroſſe, ... 278.
——— of Kingraige, ... 119.
——— of Weſtgrange, Gilbert, 301.
——— David, (burges of Dundee), 480.
——— George, 297.
——— Mr Robert, (commiſſioner for Culros), 73.
——— Thomas, 213.
Graden of Earnſlaw, John, 299.
Grahame (Grayhame, Ghrame, Grame) of Balcomie, John, 55. V. Balcomy.
——— of Balgawne, (Balgowen), John, 134, 301.
——— of Blackwood, Fergus, 472, 495. V. Blackwood.
——— of Boquhappil, (Bewhappil, Bulquhopil), ... 301.
——— ——— ——— John, 376.
——— ——— ——— William, 134.
——— of Carny, Robert, 416.
——— of Claverhouſe, Sir William, 442.
——— ——— ——— William, 211, 442.
——— of Creggie, (Kraigye), John, 55, 135, 416.
——— of Downance, ... 416.
——— of Fintrie, ... 117, 529.
——— ——— ——— David, 442.
——— ——— ——— John, (fiar), 298.
——— of Gallinegad, ... 301.
——— of Gartmoir, William, 378.
——— of Gorthie, David, 55, 134, 198.
——— of Hiltoun, William, 28, 211, 257, 299.
——— of Inchbraikie, ... 4.
——— ——— ——— Mr George, 55, 134, 301.
——— ——— ——— (younger), 198.
——— of Monorgone, (Monorgund), Mr James, 265, 301, 442, 529.
——— of Morphie, ... 119, 134, 212.
——— ——— ——— Sir Robert, 28, 134, 212.
——— of Poldare, John, 135, 211.
——— James, (Earle of Montroſe), 197, 203, 258, 275, 276, 285, 286, 329, 345, 351, 354, 359, 371, 391, 417, 441, 443, 451, 453, 458, 463, 475, 477, 515, 516, 530.
——— John, (baily of Glaſgow), 374, 540.
——— ——— (portioner of Slipperfield), 373.
——— dame Margaret, 166.
——— Robert, (Ingliſhman), 516.
Grandison, Viscount, 530, 537.
Grange, laird of— 297, 302, 374, 377, 403, 416. V. Durhame, Ellot, Gordoun, and Hammiltoun.
——— ——— ——— (younger), 297, 302.
Grangehill, laird of— 266, 285, 299. V. Dumbar.
Grangekircaldie, laird of— (Kirkcaldie of Grange ?), 297.
Grant, laird of— 52, 91, 559, 561.
——— of Allachie, Allaſter, 378.
——— of Ballindalloch, John, (younger), 28, 55, 135, 302, 377. V. Ballindalloch.
——— of Frewchie, James, 28, 55, 135.
——— ——— ——— Sir John, 119.
——— of Gilliewhappil, Mr John, 303.
——— of Lurg, (Lurgie), Johne, 27, 303.
——— of Melleres, Alexander, 28.
——— of Moynes, Johne, 27, 55, 119, 135, 300, 304, 378.
Grant, Andrew, 212, 542, 567, 576, 580, 589, 605, 609, 618, 624.
Grantoun, laird of— 296.
Grantullie, (Garntullie), laird of— 416. V. Gairntellie.
Gray, (Grey), lord, 338. V. Gray of Warke.
——— maſter of— 301, 302, 559, 561, 563, 575.
——— ——— ——— William, 278.
——— of Auchinlong, Mr Robert, 379.
——— of Belleggernay, James, 301. V. Ballegerno.
——— of Ballone, Robert, 280, 299, 416.
——— of Baltoun, Robert, 27.
——— of Creich, ... 530.
——— ——— ——— Robert, 27.
——— of Culmaillie, Robert, 56, 135.
——— of Gartquene, William, 374.
——— of Inchſture, James, 301.
——— of Oſpiſdaill, (Spiſdale), Alexander, 56, 135, 280, 299, 379.
——— of Over Skibo, Robert, 299.
——— of Skibo, (Skaibo), Robert, (commiſſioner for Sutherland), 4, 55, 56, 135, 136, 299.
——— of Snardail, Robert, 379.
——— of Sordell, Robert, 280.
——— of Wark, (Worke), William lord, 39, 337.
——— Alexander, 9.
——— Andro, (commiſſioner for Montroſe), 4, 73, 91, 138, 139, 302, 377, 435.
——— colonell, 517, 526, 530, 537.
——— Mr Robert, (proveſt of Dornoche), 299.
——— Mr Thomas, (proveſt of Aberdeine), 199, 378, 491.
——— Sir William, 93.
——— William, (ſhireff clerk of Forfar), 416, 574.
Greddan, laird of— 133.
Greenhead, laird of— 372, 389. V. Ker.
——— . . . . 345, 445, 491.
Greenock, laird of— 19, 29, 73—75 *incl.* 83, 84, 93, 143, 302, 317, 372, 375, 392, 422, 439, 444, 473, 490, 522, 614. V. Schaw.
——— ——— ——— (younger), 375.
Greg, (Gregge), Mr Walter, (miniſter at Balmerino), 347, 491.
Greirſoun of Bargaltoun, (Burgatton, Bargartoun), William, (commiſſioner for Kirkcudbright), 29, 53, 96, 379.
——— of Chappell, Johne, 29, 280, 298.
——— of Dalcarffe, Lancelot, 53.
——— of Dalgoner, James, 132, 213, 374.
——— of Lagg, Sir Robert, (commiſſioner for Dumfreiſhire), 4, 51, 53, 95, 176, 178.
——— ——— ——— Sir William, 138, 139.
——— of Rochall, (Rokle), Sir Johne, 53, 132, 213, 298.
Gribdyk, laird of— 302.
Grime, Alexander, 516.
Grimet, (Greimet), laird of— 300. V. Macilvene.
Grimiſtoune, laird of— 376.
——— ——— ——— (younger), 376.
Grimotſchaw, laird of— 375.
Grot (Groat) of Elſnes, Johne, 56, 136, 379.
——— of Halſtoun, Johne, 56, 136, 379.
——— of Warres, Malcolm, 379.
Grunyeard, laird of— 303.
Guidlet of Abitſhauch, James, (younger), 378.
Guildmilneſcroft, (Guildmidſcroft), laird of— (younger), 212. V. Farquhar.
Gullane, Johne, 587, 588.
Gun of Barraboll, John, 379.
——— of Calelnan, (Kilernan), Alexander, 280, 379.
Guthrie, laird of— 302.
——— of Pitforthie, James, 211.
——— Mr Andrew, 205.
——— Mr James, (miniſter at Kynedward), 23, 491.
——— ——— ——— (miniſter at Lauder), 347.
——— ——— ——— 578, 579, 585.
——— James, 257.

Guthrie, Mr William, (miniſter of Newkilmarnock), 346.
Gwynd, laird of— 302.

Hacket, (Halkheid), lieutenant colonel, 489, 490, 519, 522,— colonel, 449, 532,—Robert, 554.
——— Sir James, 297, 372, 433, 522, 560. V. Halkhead.
——— Sir Robert, 297.
——— Robert, 376.
Hadden. V. Halden.
Haddo, laird of— 21, 22, 90, 91, 116, 258, 309, 423. V. Gordoun.
HADINGTOUN, EARLE OF— 51, 95, 131, 132, 201, 211, 213, 277—279 *incl.* 286, 296—298 *incl.* 301, 328, 334, 382, 618, 623.
——— ——— ——— Robert, 199, 201.
——— ——— ——— Thomas, 138, 139, 422.
Hadingtoun, commiſſioner for— 85.
——— magiſtrates of— 464.
——— miniſters of— 464.
Hagge, laird of— 298. V. Hamiltoun.
——— goodman of— 132.
Haircleuch, laird of— 214.
Hairſtanes of Craig, John, 279, 298.
Hairt of Saint John's Chappell, Mr Robert, 299. V. Hart.
Hairtree, laird of— 569. V. Dickſone.
Halcraig, laird of— 132, 274. V. Hammiltoun.
Halcro (Halcrow) of that Ilk, Huch, (Hew), 56, 136, 379.
——— of Gruke, Huch, (Hew), 56, 136, 379.
Halden (Hadden, Hadin, Haddon) of that Ilk, Johne, 52.
——— of Glenneigies, (Gleunegies), Sir Johne, (commiſſioner for Perth), 28, 55, 96, 117, 134, 301, 376.
——— of Myletoun, John, 54.
——— of Myretoun, James, 28, 211.
——— George, 615.
——— James, 376.
——— colonel John, 243.
Halgrine, (Halgrein), laird of— 300.
——— ——— ——— (younger), 300, 465.
Halheriote, laird of— 297.
Halhill, laird of— 469.
Haliewell, Thomas, (baily of Selkirk), 373.
Halkertoun, laird of— 19, 73—75 *incl.* 94, 199,—lord, 296, 302, 328,—one of the Senators of the College of Juſtice, 381, 416. V. Falconer.
Halkhead, (Halket, Haukhead), Sir James, (ſier of Pitfirrane), 28, 54, 91, 134, 213, 389, 392, 426, 503, 550. V. Hacket.
Hall of Fulbar, (Fouwar), Robert, 30, 53, 133, 214, 302.
——— captain Robert, 439, 465, 479, 502, 517.
Halliday (Halyday) of Tulliboll, Williame, 54, 134.
Halpland, laird of— 375.
Haltoun, laird of— 131, 277, 296.
Halyardis, laird of— 213, 297, 303.
Halyburtoun, (Halyburtoun, Haliburton), laird of— 212, 278. V. Home.
——— of Bauthrie, Patrick, 377.
——— of Binneſyde, Thomas, 299.
——— of Buttergaſk, James, 301, 377.
——— of Fodderance, Sir George, (knight), 432.
——— of Killour, George, 55.
——— of Murehouſelaw, John, 301, 375.
——— Alexander, (burgeſs of Dundie), 178, 197.
——— Mr George, 278, 345, 377, 422.
——— James, (at Driburgh), 373.
——— John, 188, 373, 375.
——— Thomas, (commiſſioner for Dundee), 55, 91, 96, 119, 134, 177, 211, 302.
——— ——— (portioner of Dryburgh), 299.
——— William, 21, 22.

HAMILTOUN, DUKE OF— James, 123, 157, 244, 269, 271, 272, 279, 290, 296—298 *incl.* 300, 312, 319, 322,— Lord General, 323, 327, 328, 343, 345, 355, 407, 530, 537, 552, 553, 555, 594, 596, 616—618 *incl.* 621, 623.
——— DUCHESS OF— 621.
——— MARQUIS OF— 3, 6.
Hamiltoun, comiſſaris for— 583, 584.
Hammiltoun of Aikinheid, Robert, 29.
——— of Arnock, (Ernock), James, 279, 298.
——— of Auchintoll, David, 117.
——— of Baldure, ... 28.
——— of Bangoure, John, 297.
——— of Barncleuch, Quintine, 214, 298.
——— of Barnes, Robert, 53, 279, 374.
——— of Beile, Sir John, 131, 136, 138, 139, 177, 178, 199, 222, 269.
——— of Bining, (Bynnie), Alexander, 53, 133, 214, 297.
——— of Blaikburne, Sir George, 28, 54, 134.
——— of Blantyreferme, William, 298.
——— of Boghall, Sir Johne, 53, 133, 214, 297, 374.
——— of Boigis, (Boges), James, 24, 25, 53, 181, 214, 217, 222, 298.
——— of Bordlume, Hew, 300.
——— of Brigs, James, 277.
——— of Bromehill, Sir James, 132.
——— of Cathkin, Robert, 132.
——— of Dalſerf, ... 4.
——— ——— ——— William, (commiſſioner for Lanerickſhire), 53, 95, 214, 298.
——— of Ernock. V. Hammiltoun of Arnock.
——— of Fingaltoun, Sir James, 29, 51.
——— of Gaitfyde, (Gateſide), Patrick, 53, 132.
——— of Garriſe, William, 300.
——— of Gilderſcleuch, (Gilkerſcleuch), Johne, 53, 117, 214, 298.
——— of Grange, James, 133.
——— of Green, (Greine), Mr John, 279, 297.
——— of Haggis, Alexander, 53, 117, 279.
——— of Halcraig, James, 29, 214, 298.
——— of Kinglaſſie, (Kinglaſhie, Kingleſſie), John, 52, 133.
——— of Little Preſtoun, Sir Patrick, 28, 131, 138, 277, 287, 297, 324, 529.
——— ——— ——— ——— Patrick, (younger), 277, 297, 324.
——— of Maynes, (Mains), William, 214, 298.
——— ——— ——— (younger), 374.
——— of Murehouſe, (Murrays), John, 373, 521.
——— of Mylnehouſe, Gavin, 374.
——— of Neatherfield, Walter, 374.
——— of Neilifland, James, 279, 374.
——— of Nethertoun, Patrick, (younger), 297.
——— of Newtoun, Patrick, 279.
——— of Orbeſtoun, Sir John, (Juſtice Clerk), 138, 139, 164, 177, 178, 298, 328, 381.
——— of Overtoun, Andrew, 279, 374.
——— of Oyleſtobe, John, 373.
——— of Parkley, Alexander, 214, 279, 297.
——— of Preſtoun, Sir James, 131. V. Hammilton of Little Preſtoun.
——— ——— ——— Sir Johne, (elder), 52.
——— ——— ——— Sir Patrick, 52, 95, 131, 136, 138, 139, 153, 176, 178, 213, 389.
——— of Prieſtsfield, Sir James, 297.
——— ——— ——— (younger), 297.
——— of Raploch, Gawin, 29, 53, 213, 298.
——— of Redhall, (Ridhall), Andrew, (younger), 213, 214, 279.
——— of Sandiholme, James, 29.
——— of Silvertounhill, (Stillertonhill), Edward, 29, 53.
——— ——— ——— Robert, (younger), 279.

Hammiltoun of Torrence, Robert, 93, 218, 298.
——— of Weſtbarn, Gabriell, (younger), 397, 398.
——— of Weſton, Johne, 53.
——— of Weſtport, Mr James, 29, 133, 279, 297.
——— of Wiſhaw, Walter, 298.
——— of Wodſtoun, (Udiſtoun), John, 214, 298, 400.
——— of Woodhall, James, 53.
——— —— ——— (younger), 117, 279.
——— A. 325.
——— Alexander, (General of Artillery), 65, 160, 243, 255, 322,—Sir Alexander, 488, 475, 479, 498.
——— Andro, (portioner of Overtoun), 29.
——— ——— (tutor of Ridhous), 299, 373.
——— ——— 211, 279.
——— Archibald, 40.
——— ——— (tutor of Coltquot), 373.
——— Sir Frederick, 75, 92, 143, 416.
——— Sir George, 213, 297.
——— Hew, 618, 624.
——— Mr James, (miniſter of Edinburgh), 347, 491, 589.
——— James, (of Glaſgow), 92, 132, 282, 322.
——— ——— (in Lanark), 298.
——— ——— (commiſſar to the Artilliarie), 493.
——— ——— 618, 624.
——— colonell Johne, (generall major), 624.
——— Johne, (baillie of Arran), 54, 135, 300, 379.
——— ——— (apothecary), 440, 532.
——— ——— (chamberlain of Hamiltoun), 374.
——— ——— 296, 297, 581.
——— dame Margaret, (Countes of Hartfeild), 528.
——— Niniane, (commiſſioner for Carail), 84, 96, 297, 328.
——— Sir Patrick, 57, 83, 148, 567, 576, 605, 618, 623. V. Hamiltoun of Preſtoun.
——— Robert, 288.
——— ——— (tutor of Cowtcoit, (Coltquot), 300.
——— captain Thomas, 279.
——— lieutenant colonell William, 257.
——— William, (commiſſioner for Anſtruther Eaſter), 4, 96.
——— ——— 297, 376.
——— .... (brother to Barganie), 12.
Hannay, Patrick, (commiſſioner for Wigtoun), 4, 53, 96.
Hapland, laird of— 273.
Harberthire, laird of— 211, 298.
Harden, laird of— 29, 199, 267, 442, 567, 576, 595, 596, 605, 618. V. Scott.
——— ——— ——— (younger), 302.
Harding, (Harden), Mr, 530, 587, 685, 623.
Harper, Johne, (ſhip-maſter), 21.
Harrington, Sir James, 338.
Hart (Heart) of Chappell, Mr Robert, 278. V. Hairt.
—— of Riſland, (Ruſland), David, 56, 136, 379.
Hartfell, (Hartfeild, Hertfelt), Earle of— 3, 60, 61, 63, 69, 70, 73, 92, 95, 132, 217, 267, 528, 617, 618, 621, 623.
Harthill, laird of— 621.
Hartwoodmyres, laird of— 302. V. Scott.
Harvey, coloucl, 338.
Haſelrig, Sir Arthur, (governor of Newcaſtle), 523, 525.
Haſwell of Ulſtoun, James, 301, 375.
Hatcher, Thomas, (eſquire), 24, 39, 112, 113.
Hattoun, laird of— 324.
Hawthorndean, laird of— 297.
Hay, lord. V. Hay of Yeſter.
—— of Aberlady, Mr William, 302, 416.
—— of Ariuland, Francis, 211.
—— of Arkland, [Ariuland?] Francis, 374.
—— of Auchquhairne, George, 303.
—— of Balhouſie, (Bouſſie), Mr Francis, 96, 134, 138, 139, 177—179 *incl.* 278, 301.
—— of Bara, (Barra, Baro), Mr Alexander, 29, 211, 299, 326.
Hay of Bouſſie. V. Hay of Balhouſie.
—— of Braco, Mr Alexander, 299.
—— of Hayeſtoun, Andrew, 29, 52, 117, 132, 300, 373, 507.
—— —— ——— Mr John, (fiar), 117, 132, 199, 300, 373, 507.
—— of Kirkland, George, 278, 301, 377.
—— of Knockcowdie, (Knockowdie, Knockawdie, Knockandie), John, 55, 135, 282, 299, 378, 417, 465, 484, 611.
—— of Leyes, Peter, 28, 55, 134, 278, 301, 399.
—— —— ——— ——— (younger), 301.
—— of Linplum, James, 299, 325, 326.
—— of Megginſche, (Megans), Sir Peter, 212, 301.
—— of Monktoun, (Muntain), ... 213.
—— —— ——— George, 52.
—— of Muldavit, (Muldavat), Mr James, 280, 302, 377.
—— of Muntain. V. Hay of Monktoun.
—— of Muriefauld, George, 529.
—— —— ——— James, 28, 55, 285.
—— of Nauchton, George, (fiar), 28, 54, 117, 122, 385.
—— of Nuntoun, Alexander, 277.
—— of Park, Thomas, 53, 133, 374.
—— of Pitfour, Patrick, (fiar), 301.
—— of Pitſkellie, George, 212.
—— of Revelrig, Alexander, 52, 213.
—— of Smithfield, Sir James, 4, 300.
—— of Strowie, (Strowy), Francis, 301.
—— —— ——— Robert, 377.
—— of Terriallane, Francis, 302.
—— of Torbrugh, Mr Andro, 377.
—— of Woodcockdaill, Mr David, 214, 279, 297, 374, 400, 507.
—— of Yeſter, John lord, 222.
—— Mr Alexander, 131, 279.
—— captain Andro, 300, 323.
—— Archibald, 205.
—— Mr David, (clerk to the Parliament), 465, 507, 554, 556, 568, 570, 572, 573, 575, 601—603 *incl.* 606, 609, 625.
—— Hew, (tutor of Park), 300, 378.
—— Mr James, 4, 234, 465, 488.
—— Mr Johne, (proveſt of Elgin), 28, 55, 119, 135, 231, 269, 300, 336, 378, 426,—commiſſioner for Murray, 450, 472, 503, 606, 611.
—— —— ——— (clerk to the Parliament), 281, 328, 482, 485, 487, 503, 507, 509, 511, 512, 569, 601.
—— John, (cornet), 550.
—— —— 283.
—— Patrick, 395.
—— Thomas, 21.
—— Mr William, (clerk of Seſſion), 299.
Haygreen, laird of— (elder and younger), 377.
Hayſtoun, laird of— 278. V. Hay.
Heidrig, (Heindrig), laird of— 299, 328.
Heiſſot, laird of— 212, 300.
Henderſone of Broomhill, Alexander, 298.
——— of Bruckſtondorone, John, 416.
——— of Fordell, Johne, 28, 54, 134.
——— of Kirktounhill, Mr John, 299.
——— of Mac-coranſtoun, Mr James, 134.
——— of Sanct Laurence, Laurence, 373.
——— A. (clericus Dom. Com.), 584.
——— Alexander, 376.
——— Mr James, 301.
——— Sir Johne, 563—565 *incl.*
——— Mr John, 6.
——— John, (baillie of Lochmaben), 280.
——— ——— 298, 328.
——— Laurence, 83, 153, 213.
——— Margaret, 485.
——— Mr Thomas, (clerk to the Committee of Eſtaittis), 288, 392, 438, 470, 567, 578, 624, 626.
——— Wpken, (Vthen), 556.
Henry, John, 323.

Henryſone, captane, 600. V. Henderſone.
Hepburne of Alderſtone, J. 326.
——— of Barfurd, ... 250.
——— —— ——— James, 325.
——— of Beinſtoun, Francis, 52, 299, 325.
——— of Craig, John, 29, 131, 257, 373.
——— of Humbie, Sir Adame, (Senator of the College of Juſtice), 4, 29, 36, 40, 41, 52, 62, 63, 69, 112, 113, 138, 140, 171, 177—179 *incl.* 186, 206, 219, 223, 249, 250, 275, 288, 319, 433. V. Humbie.
——— of Keyth, Robert, 336, 433, 473, 503, 548, 561.
——— of Monkrig, Patrick, 299, 326.
——— of Nunraw, P. . . . . 299, 326.
——— of Smeittoune, (Smetoun), Mr Johne, 29, 52, 117, 122, 299, 372.
——— of Wauchtoun, Johne, (younger), 52, 131.
——— —— ——— Sir Patrick, 4, 29, 52, 57, 71, 122, 131, 138—140 *incl.* 177, 178, 503.
——— J. 325.
——— Johne, 325.
——— general major, 228.
——— Robert, ... 325.
——— ——— (advocate), 49, 113, 211, 279.
——— Thomas, (ſon of Hepburne of Humbie), 288.
Heriot, Mr David, (advocate for the College of Juſtice), 461.
——— Margaret, 442.
——— William, 297.
Hermeſtoun. V. Hirdmeſtoun.
Herreis of Hairhat, Mr William, 298.
Herreis, lord— 245, 247, 312.
——— ——— Johne, 14, 24, 104.
HESSIN, DUCHESS OF— 19.
Hilderſtoun, laird of— 372, 374, 445. V. Gibſoune, and Sandilandes.
Hill of Beath, laird of— 273.
Hill, Mr, 338.
—— Robert, (commiſſioner for Queinsferry), 4, 96, 297.
Hillis, laird of— 298. V. Baillie.
Hiltoun, laird of— 301.
Hirdmeſtoun, laird of— 279, 299, 540.
Hodge, Mr Robert, 257, 324, 373.
Holburne, (Houburne), James, (major general), 389, 398, 496, 522, 548, 552, 560, 561.
Holland, Mr, 338.
Holmes, Gabriell, 584.
Holyme, laird of— 302. V. Gordoun, and Mackintoſh.
HOME, (Hume, Hoome), EARLE OF— 3, 92, 132, 160, 278, 296, 312, 328, 486, 591—596 *incl.* 618, 623.
Home of Aitoun, Sir William, (commiſſioner for Berwickſhire), 4, 51, 53, 132.
——— of Argadie, (Argatie), Hary, 278, 301.
——— of Baſſindean, Alexander, 278, 312.
——— —— ——— George, 539.
——— of Bedſheill, (Redſheill), Mr George, 132, 212.
——— of Bellietaw, Mr Johne, 299.
——— of Bello, Alexander, 278.
——— of Blacater, (Blacader), ... 269.
——— —— ——— Johne, (commiſſioner for Berwickſhire), 4, 51, 53, 132.
——— of Broomhouſe, Patrick, 373.
——— of Caſtellaw, James, 29, 212, 278, 373.
——— of Coldinghamlaw, Patrick, 212, 278.
——— of Crumſtane, Sir Johne, 278, 299.
——— of Dirington, George, 132, 278, 299.
——— of Eccles, George, 53.
——— —— ——— Sir James, 299.
——— of Furde, George, 52, 131, 326.
——— of Gamelſchelles, George, 326.
——— of Glanderſtoun, William, 54.
——— of Halibrunton, (Halybruntoun), Sir Alexander, 53, 132, 299.
Home of Hardriges, (Heirdrig, Heredrig), maſter Henry, (Hary), 53, 132, 212,—Sir Harie, 278.
——— of Huttonbell, Mr Patrick, 373.
——— of Kello, John, 373.
——— of Kymmerhame, (Kymmergem, Kimerghame), Mr George, 29, 53, 131, 212, 278, 299, 373.
——— of Linthill, Williame, 29, 132, 212, 257, 278, 299.
——— of Nanewar, Johne, 117, 132.
——— of Ninewells, (Nynewallis), John, 53, 278, 373.
——— of Plendergaiſt, Alexander, 278, 416.
——— of Polwart, Sir Patrick, 53, 212.
——— of Reſton, Alexander, 29, 53, 132.
——— of Rollaſtoun, Alexander, 29.
——— of Saintleonardis, Mr Alexander, 29, 52, 131, 212, 278, 299.
——— of Swanfield, George, 299.
——— of Wedderburne, ... (elder, in Northberwick), 211.
——— —— ——— Sir David, (knight), 51, 53, 132, 138, 140, 177, 178, 222, 223, 299, 433—435 *incl.* 503, 520.
——— —— ——— George, (younger), 53, 132, 189, 299.
——— of Weſtreſtoun, John, 299.
——— of Whitſumehill, James, 373.
——— Beatrix, (wedow in Dunce), 510.
——— George, (elder, commiſſioner for Northberwick), 4, 73, 211, 279, 299, 373. V. Home of Wedderburne.
——— colonel Johne, 243, 285,—governour of Inverneſs, 326, 607.
——— John, (in Nynewalls), 299.
——— ——— 314, 598, 599, 600, 604.
——— colonel Robert, 464.
——— Sufanna, 553, 555.
——— colonell Thomas, 614.
——— William, (burgeſs of Glaſgow), 374.
——— ——— 282, 375.
——— . . . . . 582.
Honyman, Mr Andro, (miniſter at Saintandros), 347.
Hopburne. V. Hepburne.
Hope (Hop, Houp, Hoope) of Craighall, Sir John, (ſiar, Lord of Seſſion—Senator of the College of Juſtice), 130, 131, 138, 139, 153, 164, 177, 178, 213, 219, 297, 347, 373, 376, 426, 433, 434, 461, 503.
——— —— ——— Sir Thomas, (knight baronet, King's advocate), 21, 164, 183, 185, 272, 275.
——— of Hoptoune, Sir James, (Senator of the College of Juſtice), 448, 502, 507, 516.
——— of Kerſe, Sir Thomas, 4, 23, 24, 36, 130, 131.
——— of Leidhill, Sir James, 279.
——— Sir Alexander, 441.
——— Sir James, 132, 160, 281, 298, 299, 336, 338, 374, 376, 378, 426, 427, 431—433 *incl.* 440, 445, 503.
——— Sir John, 83, 132.
——— Sir Thomas, 288.
——— Mr William, 326.
Hopper of Bourhouſe, James, 131, 299.
——— —— ——— (younger), 299.
Hoppringle of Torſons, James, 299.
Hoptoun, the lord, 473, 542, 569, 572, 587, 588. V. Hope.
Horſcleuch, laird of— 375.
Horſlet, laird of— 375.
Houndwood, laird of— 299.
Houſtoun, (Howſtown), the lord, 605.
——— of that Ilk, ... 199, 214, 298, 302, 370, 372, 375, 378, 517, 568, 576, 607.
——— —— ——— ——— (younge), 302.
——— —— ——— ——— Sir Ludovick, (knight), 29, 52, 54, 302, 374, 426, 503.
——— of Bellilisk, William, 212.
——— of Cottroch, William, 374.
——— of Drumaſtoun, John, 211.
——— of Kintreach, ... 302.
——— Andro, 376.
——— Anthone, (commiſſioner for Whitorne), 4.

Houſtoun, captain, 518.
——— Eliſabeth, (lady Gargunnock), 449.
Howburn, (Holburn), general major James, 243, 250, 254, 256, 322, 376. V. Holburne.
Howiſon, Andro, 213, 297.
——— Robert, 297.
Humbie, the lord, 6, 8, 13, 19, 59,—63 *incl.* 69, 71, 72, 74, 87, 88, 145, 183, 202, 211, 234, 236, 253, 254, 257, 267, 278, 279, 281, 290, 296, 299, 328, 392, 425, 543, 547, 551, 559, 561, 565, 567, 576, 595, 596, 605, 607—612 *incl.* 614—618 *incl.* 621, 623, 624, 626. V. Hepburne.
Huntar (Hunter) of Ballagan, James, 132.
——— of Polmoode, (Polmude, Polmuide), Robert, 29, 132, 300, 373.
——— Agnes, 464.
——— David, (commiſſioner for Forfar), 4.
——— William, (tutor of Ballagane), 374.
——— ——— (commiſſioner for Forfar), 55, 134.
Huntarſtoun, laird of— 300, 375.
Hunthill, laird of— (younger), 375. V. Rutherfurde.
Huntlie, Marquis of— George, 14, 23, 84, 90, 91, 104, 183, 258, 417, 423, 424, 438, 448, 463, 485, 502, 592, 617, 618, 623. V. Gordoun.
Hurry, Sir John, (general major), 182, 192, 258, 314, 329, 517.
Huchesſon, Mr George, 491.
Hutton of Ballolyſk, (in Bellilisk), William, 278, 301, 376.
Hyer, Judith, 474.

Jack of Broxfield, (Braxfield), Gideon, (commiſſioner for Lanark), 4, 19, 53, 57, 92, 96, 132, 138, 139, 177, 178, 269, 374, 426, 428, 433, 479, 503.
Jackſone, Mr Anthonie, 572.
——— captane, 85.
——— James, 85, 86, 88.
——— major, 530, 537.
——— Robert, (commiſſioner for Dumbar), 73, 299.
Jaffray of Kingſwallis, Alexander, 135.
——— Alexander, (proveſt of Aberdeen), 21, 22, 119, 214, 219, 222, 303, 336, 340, 341, 378, 391, 394, 400, 417, 426, 433, 434, 451, 459, 460, 472, 491, 504, 513, 514, 522, 537, 538.
——— Johne, 21, 22, 378, 472, 492, 537, 542, 550, 553, 567, 576, 605.
——— Thomas, (commiſſar for Peibles), 394, 539.
JAMES VI, KING, 276, 360, 401.
Jamieſone of Mekilekilmorie, Robert, 300.
——— Florence, 189.
——— George, (proveſt of Couper), 5, 20, 54, 57, 73, 75, 84, 91, 96, 119, 122, 134, 135, 138, 139, 177, 178, 199, 213, 219, 260, 264, 297, 376, 426, 435, 503, 542, 567, 576, 580, 605, 618, 624.
——— Johne, (proveſt of Rotheſay), 4, 135, 379.
——— Robert, (crownar), 135, 379.
——— Mr William, 491.
Jardan of Balgrey, William, 213.
Jarrefwood, laird of— 132. V. Baillie.
Iddington, laird of— 299, 533.
Inchbraikie, laird of— 28, 69, 71, 519, 529. V. Grahame.
Inchdairnie, (Inchderny), laird of— 213, 297, 376. V. Aytoun.
Incheſture, (Inchture), laird of— 28, 212, 278, 377, 416. V. Kinnaird.
Inchiquin, lord, 345.
Inchkeir, tenents of— 366.
Inchmartin, (Inchmertene), laird of— 212, 278, 296, 326, 328, 416, 419, 593. V. Ogilvie.
Inghram, John, 479.
Inglis (Ingliſh) of Crawmound, Mr John, 131, 213, 277, 372.
Inglis of Elvingſtoun, (Elwingſtoun), Patrick, 29, 52, 122, 131, 299, 464.
——— of Ingliſtoun, Sir Alexander, 52, 213, 372, 374, 388, 392, 503.
——— of Mureſtoun, Johne, 53.
——— of Nethercrawmond, Mr Johne, 28, 131, 213, 372.
——— Alexander, (commiſſioner for Perth), 73, 84.
——— Mr Cornelius, 279, 299.
——— Mr John, 296.
——— Patrick, 325.
Ingliſtoun, (Ingliſhtoun), laird of— 141, 277, 296, 372, 490, 491, 522. V. Inglis.
Inneralochie, laird of— 378.
Innerleith, (Inverleeth), laird of— 131, 296, 324.
Innermay. V. Invermay.
Innerpeffer, lord, 231, 279, 286, 290, 298, 302, 328. V. Fletcher.
——— ——— (younger), 302.
Innerquharitie, laird of— 285.
Innerweik, laird of— 211, 279.
Innes of that Ilk— laird of— 117, 119, 281, 290, 296, 328, 416, 559, 611, 618, 623.
——— ——— ——— ——— (younger), 296, 299, 416, 561.
——— ——— ——— Sir Robert, 28, 55, 91, 119, 135, 279, 299, 302.
——— ——— ——— (younger), 296, 299.
——— of Achloncart, (Achlonhart), ... (younger), 55, 135, 303, 377.
——— of Boltoun, William, 503.
——— of Borlum, William, 303.
——— of Burrowſtoun, Alexander, 303.
——— of Calroſſie, Robert, 303, 378.
——— of Eaſtſcheill, Thomas, 298.
——— of Edingeicht, (Engicht), John, 300, 378.
——— of Innerbraikie, (Inverbraikie), Walter, 27, 55, 135, 279, 378, 503.
——— of Kinermonie, William, 378.
——— of Kinkorth, Berold, 303.
——— of Knokorthe, John, 377.
——— of Lewchars, John, 299, 378.
——— of Roiſtoun, Robert, 395.
——— of Roſkeine, Robert, 27.
——— of Sanſyde, James, 303.
——— of Stinſter, Johne, 27.
——— of Thirſetter, (Thurſetter), Johne, 56, 136.
——— ——— ——— Robert, 303.
——— of Torcrie, Berold, 377.
——— of . . . . . Robert, 56, 136, 379.
——— Alexander, 592.
——— lieutenent colonel, 303, 489,—colonel, 522.
——— major James, 243, 280.
——— James, 518.
——— colonel John, 243, 389, 502, 561.
——— Margaret, 611.
——— Patrick, 325.
——— Sir Robert, (younger), 303.
——— Robert, (general quartermaſter), 244, 314, 322.
——— captain William, 280.
Inveraw, laird of— 327.
Inverbraikie, (Inverbrachie), laird of— 303, 372. V. Innes.
Invercauld, laird of— 303.
Invereſk, pariſhioners of— 449.
Inverewin, parochineris of— 592.
Inverlochie, laird of— 378.
Invermay, laird of— 212, 610.
Inverneſs, baillies of— 378.
Invernethie, laird of— (younger), 416.
Johnſtoun, laird of— 91, 217, 300, 304, 377, 561, 567, 594, 608, 615, 617, 618. V. Barkley, and Dalyell.
——— ——— ——— (younger), 377.
——— of Clochrie, (Lauchrie), Archibald, 132, 213, 298, 374.

Johnſtoun of Corheid, James, 29, 53, 117, 132.
——— of Cragy, ... 303.
——— of Craig, Thomas, 214, 378.
——— of Elphingſtoun, Sir John, 131, 325.
——— of Locherby, (Lockerbie), Andrew, 29, 53, 132.
——— of Newtoun, Robert, 132.
——— of Poldean, ... 132.
——— of Salcoth, John, 298.
——— of Scheanes, (Scheines), Mr Samuell, 28, 122, 277, 373.
——— of Wamfray, (Wamphray, Wafra), ... 53.
——— -- ——— John, 213, 298.
——— of Wariſtoun, Sir Archibald, (King's advocate—commiſſioner for Edinburgh—Lord of Seſſion), 4—6 *incl.* 23, 24, 28, 45, 52, 70, 72, 95, 112, 113, 115, 116, 131, 160, 177, 199, 213, 238, 272, 274, 277, 296, 303, 319, 335, 347, 363, 372, 378,—clerk of regiſter, 422, 424, 426, 432, 433, 441, 442, 444, 504, 507, 509—512 *incl.* 540, 586.
——— Barbara, (lady Blackwood), 440.
——— captain, 526.
——— Sir George, 212.
——— George, (commiſſioner for Dumfreis), 93, 96.
——— James, (in Leith), 131.
——— ——— 283.
——— John, (burges of Annand), 280.
——— ——— (commiſſioner for Dumfreis), 71, 73, 201, 213, 223, 236, 269.
——— ——— (called Viccarland), 132.
——— ——— 298.
——— Malcome, 615.
——— Mr Samuel, 131, 213, 297.
——— William, (ſon to the Earle of Hartfell), 95.
——— major William, 598, 600, 604.
Jordanhill, laird of— 280, 302. V. Crawfoorde.
Jordanſtoun, laird of— 278. V. Ramſay.
Joſſy (Jowſlie, Joſſie) of Weſtpannis, Johne, 6, 7, 17, 22, 44, 299, 320, 328, 416.
Ireland of Milnhorne, John, 377.
——— Mr Thomas, (miniſter at Weym), 494.
Irnes of Baldovie, John, (younger), 377.
Irwin, commiſſioner for— 6, 13, 20, 21, 69, 71.
——— proveſt and baillies of— 9.
Irwing (Irveing) of Beltie, Johne, 28, 135.
——— of Bonſhaw, Harbert, 298.
——— of Cleucheid, William, 213, 298.
——— of Drum, Sir Alexander, 4, 55, 73.
——— -- ——— (younger), 104.
——— of Federt, (Feddrit), Robert, 28, 55, 303.
——— of Garſlay, (Gairſlay), William, 56, 136, 379.
——— -- ——— 465.
——— of Logan, Herbert, 379.
——— John, (proveſt of Dumfreis), 132, 213.
——— ——— (in Brunklay), 308.
——— Mr Robert, 341.
Juſtice Clerk, the Lord, 92—94 *incl.* 279, 298, 302, 593.
Juſtice General, 103, 121, 558.

Kathken, laird of— 298.
Keaps, Johne, (captaine), 68.
Keir, laird of— 213.
—— Williame, (in Leith), 35.
Keirop of that Ilk, Johne, 138.
Keirs, laird of— 375.
Keith, (Keath), laird of— 299, 373, 410, 542, 550, 555, 561, 567—569 *incl.* 576, 580, 585, 595, 596, 605, 608, 609, 611, 616, 618, 623, 624. V. Hepburne.
—— of Blackriauche, John, 135. V. Keith of Clakriach.
—— of Cauldhame, James, 300.
Keith of Clakriach, (Glachriach), Johne, 55, 214, 304. V. Keith of Blackriauche.
—— -- ——— Williame, 28.
—— of Craig, Robert, 280, 377.
—— of Kirktounhill, (Kirklandhill), Alexander, 55, 135, 212, 300.
—— of Knokis, Robert, 55.
—— of Ludquharne, Sir William, (younger), 214, 607.
—— -- ——— colonel, 243.
—— of Midbeltie, Alexander, 378.
—— of Whitteriges, (Whytriges), Robert, 28, 55, 212, 300.
—— Anna, 610.
—— George, (brother to the Earl of Merſhell), 300, 313.
—— ——— 559.
—— Mr Robert, (miniſter at Deir), 397, 492.
—— Robert, (wryter), 182.
Kelhead, laird of— 296, 298, 312, 594, 595.
Kellie, Earl of— 3, 313, 559, 561, 594, 596, 618, 623.
Kellie, ... of— 375.
Kellock, Elſpeth, 610, 617.
Kelſo, Henry, (in Lairgs), 29, 54, 133.
Kelte, laird of— 278.
Kemnay, laird of— 61, 63, 69, 71, 73—75 *incl.*
Kemptcairn, laird of— (younger), 303, 372, 377. V. Ogilvie.
Kenmure, Vicount of— 3, 52, 73, 83, 88, 92, 93, 96, 135, 214, 301, 314, 594.
Kenmure, maſter of— James, 379.
Kennedy of Achtyfardell, (Ochtifardell), William, 298, 374.
——— of Ardmillan, Thomas, (younger), 54, 133.
——— of Arehemane, Hew, 302.
——— of Bellymore, David, 300.
——— of Collan, (Culyeane), Sir Alexander, 54, 133.
——— of Dewchray, Gilbert, 300.
——— of Dougat, Gilbert, 138.
——— of Dungar, (Dangher), Gilbert, 212, 375, 521.
——— of Girvanmayns, Hew, 54, 133.
——— of Haleis, John, 473.
——— of Halklaithes, Johne, 29, 132.
——— of Karmukis, (Karmukkis), Johne, 55, 119, 135, 214.
——— of Kileſpie, Williame, 211, 374.
——— of Kirkhills, colonel, 554.
——— of Kirkmichell, David, (elder), 29, 53, 133.
——— -- ——— . . . . . (younger), 133.
——— of Knockdaw, Johne, 54, 133.
——— of Sinnes, (Sinawes), Hugh, 133, 211, 374.
——— David, 74.
——— Fergus, (commiſſioner for Stranrawer), 53, 133.
——— Henry, 532.
——— Hew, (commiſſioner for Ayr), 4, 57, 74, 115, 116, 138, 140, 177, 178, 264, 300, 328, 336, 375, 426, 427, 433, 434, 445, 503, 568, 576, 595, 596, 605, 616, 618, 621, 624.
——— James, (factour to the Earl of Caſſillis), 133, 211, 302.
——— Johne, (baily to the Earl of Caſſils), 374.
——— ——— (burges of Air), 9, 73, 74, 83, 138, 139, 177—179 *incl.* 212, 223, 269, 300, 317, 375, 445, 503.
——— ——— (commiſſioner for Lochmaben), 4, 83, 138, 177, 199, 223.
——— . . . . (ſon to Kennedy of Ardmillane), 416.
Kennewie, James, 301.
Kennoquhy, laird of— 376.
Kent, Earle of— 337.
Ker, the lord, 606.
—— of Cadinſide, Robert, 375.
—— of Carneheſtiers, John, 375.
—— of Cavers, Sir Thomas, (commiſſioner for Roxburghe), 4, 5, 54, 57, 96, 97, 133, 138, 140, 212, 223, 301, 375, 433, 593.
—— of Chatto, Andro, 301.
—— of Corbat, ... 301.

Ker of Dalcove; Robert, 502.
—— of Fadounſide, Robert, 301.
—— of Gaitſchaw, John, 301.
—— of Gaitſide, Sir Thomas, 301.
—— of Graden, Sir Andro, 5.
—— of Greenheid, Sir Andro, 54, 133, 212, 301, 375, 426, 433, 503.
—— —— —— colonel, 547.
—— of Kerriſland, Hugh, 133, 212.
—— of Linton, (Lyntoun), Andro, 54, 133, 301, 375.
—— of Littledean, Andro, 301.
—— of Lochtour, Johne, 29, 54, 96, 133, 212, 301, 375.
—— of Maſſindew, (Meſendew), Andro, 94, 133, 212, 301, 375.
—— of Merſingtoune, Thomas, 278, 299.
—— of Middlemaſt vales, (Midilmiſtwalls, Midlemeſtwells), Robert, 212, 301, 375.
—— of Moreſtoun, Andro, 52, 131, 299.
—— of Newhall, Robert, 301.
—— of Newtoun, William, 54, 133, 212, 269, 301, 375, 389, 392, 503, 522.
—— of Shaw, Andrew, 133.
—— of Simes, Andrew, 29.
—— of Sunderlandlaw, (Sunderlandhall), Andro, 52, 132, 213, 373.
—— of Swyneſyde, Williame, 375.
—— of Thornden, James, 301.
—— of Whittoun, Andro, 375.
—— Mr Andro, 69,—town clerk of Edinburgh, 569, 572.
—— Andro, (ſon to Sir Thomas), 375.
—— —— (in Quhitoun), 301.
—— A. 546, 612.
—— captain, 600.
—— colonel, 392, 449, 489, 491.
—— Elizabeth, 571.
—— Gilbert, (lieutenent colonel), 243, 314, 375, 389, 398, 469, 471, 472, 509, 522, 572.
—— James, (brother to the laird of Tynes), 375.
—— —— 40, 74, 590, 592.
—— John, (brother to Ker of Greinheid), 375.
—— —— (in Halden), 301.
—— —— (in Merſingtoun), 212, 278, 299, 373.
—— Mr Robert, 491.
—— Sir Thomas, (ſhiref of Tiviotdaill, commiſſioner for Roxburghe), 73, 83—85 *incl.* 92, 93, 375.
—— William, (in Swynſyd), 212, 301.
Kermucks, (Kermuck), laird of— 378, 492.
Kerſe, (Keers, Kerres, Kerhouſe), laird of— 6, 8, 13, 212, 300, 374, 375. V. Crawfoord, and Hope.
—— laird of weſter— 377.
—— of Cokpen, Mark, 28. V. Caſſe.
Kerſland. V. Ker.
Kerſwall, laird of— 521.
Kethick, (Kethlick), laird of— (younger), 212, 278. V. Campbell.
Key, William, 213.
Kid of Craigie, Mr James, 211. V. Craigie.
—— Mr James, 521.
—— James, (commiſſioner for Dunfermline), 54.
Kilbockie, laird of— 484.
Kilbirnie, (Kilburnie), laird of— 73, 83—85 *incl.* 92, 93, 212, 214, 279, 296, 298—300 *incl.* V. Crawfoerde.
Kilbrakmonth, laird of— 297.
Kilchattan, laird of— 300. V. Stuart.
Kilcreuchie, laird of— 302.
Kildonand, (Kildonald), laird of— (younger), 212, 300, 375. V. Ecclis.
Kilganie, laird of— 302.
Kilkerane, laird of— 416.
Killeſter, laird of— 302.
—— —— —— (younger), 302.
Killour, laird of eiſter— 377. V. Haliburtoun.
Kilmahew, laird of— 279. V. Naper.
Kilpatrick, miniſter of— 486.
Kilpont, lord— John, 134, 183.
Kilraok. V Roſs.
Kilſythe, laird of— 298, 365. V. Livingſtoun.
—— tenentis of— 614, 616.
Kinaird, miniſter at, 552.
Kinarochie, laird of— 212.
Kincardin, (Kinkardin), Earle of— 372, 376.
Kincardin, commiſſioner for— 73.
Kincraig, (Kincragy), laird of— 277, 297, 303, 376. V. Leſlie.
King, Androw, 511.
—— lieutenant generall, 238, 250, 603, 606.
—— Mr James, 143. V. Ythan.
—— James, 469.
—— Margaret, 469.
—— captain William, 593.
Kingancleuche, (Kingincleuch, Kingeancleuch), laird of— 212, 300, 375.
Kingaſk, laird of— 213, 297.
Kingiſbarnes, fewares of— 570.
Kinglaſſie, Mark, (commiſſioner for Inverkeithin), 4, 55, 73, 96, 134, 297, 328, 552.
Kingorne, (Kinghorne), Earle of— John, 3, 51, 93, 119, 176, 178, 285, 439, 519.
—— Countes of— 439.
Kingorne, commiſſioner for— 7, 19, 85.
Kinhilt, laird of— 271, 445. V. Adair.
Kininmonth, laird of— 297.
Kinkead, (Kincaid, Kinkaid), laird of— 135, 378.
—— of Achinreath, (Achinreauche), John, 28, 135.
—— of Wariſtoun, Thomas, 213, 297, 324.
—— Archibald, (in North Leith), 277.
—— —— (younger), 324.
—— Philip, 585.
—— Thomas, (ſurgeon), 74.
Kinkell, laird of— 212. V. Macbane, and Murray.
Kinloche of Aberbrothie, (Aberbothrie, Aberbrothick), Mr David, 55, 134, 278, 399.
—— of Bandoche, Mr David, 301, 377.
Kinnaird (Kynnard) of Cowbin, Walther, 299.
—— of Inchture, (Incheſture), Patrick, 4, 55, 134, 334.
Kinneir, Mr John, 507.
Kinnernoone, laird of— 302.
Kinnowll, Earle of— 3, 267.
—— —— —— George, 184.
Kinſtarie, laird of— 403. V. Sutherland.
Kintail, laird of— 559, 561.
Kintilloch, laird of— 365.
Kipbyre, goodman of— 132.
Kirk of Claſters, Johne, 379.
—— of Sundaywell, James, 374.
Kirkaldie, commiſſioner for— 7, 85.
Kirkconnell, laird of— 301. V. Gordoun.
Kirkcudbright, lord, 3, 52, 69, 93, 247, 301, 372, 389, 488, 503, 512, 533.
—— —— John, 379, 426, 433.
—— —— Thomas, 24, 57, 135, 137, 138, 140, 176, 178, 188, 201, 214, 222, 223.
—— commiſſioner for— 444.
—— miniſter of— 488.
Kirkdaill, laird of— 302.
Kirkforther, laird of— 213, 297.
Kirkho of Sunday-well, James, (younger), 213. V. Kirk.
Kirkhouſe, laird of— 302. V. Maxwell, and Murray.
Kirkland, laird of— 298, 300. V. Butler, Hay, and Levingſtoun.
Kirkmichell, (Kirmichaell), laird of— 212, 300, 375. V. Campbell, and Kennedy.
—— —— —— (younger), 300, 375.
—— —— —— (youngeſt), 300, 375.
—— parochiners of— 592.
Kirknes, (Kirkneſſe), laird of— 213, 297, 376. V. Douglas.

Kirkpatrick of Cloſeburne, Robert, 374.
——— ——— Mr Thomas, 53, 213.
——— Roger, (baillie of Dumfreis), 132.
——— miniſter of— 381.
——— parochiners of— 590, 591.
Kirktoune, laird of— 298. V. Barbour, and Scrimgeour.
Kirkurd, laird of— 278.
Kirkwood of Pilrig, Gilbert, 213, 277.
——— William, 299.
Kirriemure, parochiners of— 282.
Knappernane, laird of— 303.
Knewhobilhill, laird of— (elder), 374.
Knibło, John, (commiſſar of Artillarie), 493.
——— Thomas, 600.
Knock of Barnes, Johne, 53.
Knockandie, Knockaudie, (Knockowdie), laird of— 403, 404. V. Hay.
Knockhill, laird of— 376. V. Campbell.
Knockowdie. V. Knockandie.
Knokbrax, laird of— 302.
Knockglais, laird of— 302.
Knokgray, laird of— 302.
Kynloche. V. Kinloche.
Kynnadie, laird of— 297, 302.
Kynnaird. V. Kinnaird.
KYNNOWLE. V. KINNOWLL.

Lafreis, James, 29.
Lag, laird of— 7, 19, 20, 29, 57, 92, 132, 199, 205, 212, 296, 298, 301, 618, 623. V. Campbell, and Greirſoun.
——— ——— ——— (younger), 296, 312.
Lamb, Archibald, 301.
Lambert, general, 345.
Lamberton, (Lamertoun), laird of— 212, 299, 567, 576, 586, 595, 596, 605, 608, 618, 623. V. Bentoun.
Lamingtoun, laird of— 92, 132, 199, 205, 279, 299, 328, 330, 416, 464. V. Baillie.
Lamlair, laird of— 296.
Lamont, (Lamond), the lady, 381.
——— of Innerryne, Sir James, 54, 134, 375.
——— . . . . . 345.
Lampſin, (Lampſone), maſter Adrian, 504, 506, 510, 588, 597, 603.
——— maſter Cornelius, 504, 506, 510, 588, 597, 603.
LANERICK, (Lanerk), EARLE OF— Williame, 3, 6, 73, 84—86 *incl.* 89, 92—95 *incl.* 123, 131, 132, 136, 138, 139, 159,—Lord Secretar, 164, 176, 178, 199, 205, 213, 214, 217, 218, 222, 269, 288, 290, 296—298 *incl.* 314, 319, 321, 328, 344, 345, 355, 370.
Laneriek, George, 392.
——— baillies of— 132, 298, 374, 512.
Lanerickſhire, commiſſioners for— 392.
Langdale, Sir Marmaduke, 318.
Langlands of that Ilk, Robert, 29, 54, 133, 212, 301, 375.
Langtoun, (Lantoun), laird of— 211, 265, 278, 288, 296, 298, 299, 304, 566, 567, 607. V. Cockburne.
——— lady. V. Elphingſtone.
Lany, laird of— 297, 376. V. Mackie.
Larg, laird of— 301, 302.
Largmoir, laird of— 302.
Lathons, laird of— 297.
Lathriſk, (Lathreiſh), laird of— (younger), 213, 376. V. Seatoun.
Lauder of Neſbet, Gilbert, 373.
——— James, (baillie of Dunbar), 279, 299, 328.
——— Robert, (portioner of Kingſbarnis), 299.
LAUDERDAILL, EARLE OF— Johne, 3, 6, 7, 13, 19, 20, 57, 60, 61, 63, 69, 73—75 *incl.* 83—85 *incl.* 92—96 *incl.* 112, 113, 131, 138, 139, 148, 153, 161, 177, 194, 211, 213, 264, 272, 277—279 *incl.* 281, 290, 293, 296, 298, 306, 314, 319, 328, 334, 345, 346, 430, 537, 548—550 *incl.* 594—596 *incl.* 616, 618, 623, 624.
Law, James, (commiſſioner for Kirkcaldie), 54, 96, 122, 134, 177, 179, 297.
——— Mr Mungo, (miniſter of Edinburgh), 256, 347, 491.
——— William, 288.
Laweris, (Laures), laird of— 92, 143, 198, 243, 258, 281, 285, 297, 310, 317, 318, 326, 377, 396, 403, 415, 419, 462, 490, 502, 518, 522, 547, 563, 567, 576. V. Campbell.
Lawmont. V. Lamont.
Lawrie, (Lowrie), James, (ſhip-maſter), 21.
Lawſone (Lawſoune) of Carnemure, Mr James, 29, 132, 278, 300, 373.
——— of Lowhell, Mr George, 297.
Lawtheris, laird of— (younger), 297.
Lawtie, George, 328.
——— Williame, (in Myrehous), 55, 135, 212, 303.
Lea, lord, 288, 290, 301. V. Lie.
——— laird of— 328, 596, 618, 623, 624, 626.
Learmonth (Leirmont, Leirmond) of Balcomie, Sir James, (Senator of the College of Juſtice), 164, 421.
——— John, 438.
Lecky (Leckey, Leckie) of that Ilk, . . . 53, 135, 211, 298, 378.
Lee. V. Lea, and Lie.
Leiche, (Leitche), Mark, 298.
——— Martein, 569.
Leidhill, laird of— 298. V. Hope.
Leith, baillies of— 86, 468.
Leith (Leyth) of Harthill, John, 608.
——— ——— ——— ——— (younger), 394, 493.
——— of Thriefeild, George, 135, 378.
——— of Whitehaugh, John, 135, 214, 378.
——— Anna, (daughter to Leith of Hairthill), 608.
——— Patrik, 608.
——— William, 608.
Lemlair, (Lymlair), laird of— 303, 559.
LENNOX, DUKE OF— 286, 408, 621.
Lennox of Cairneſchogle, (Banſhogell), Johne, (younger), 28, 53, 135.
——— of Calie, Alexander, 379.
——— ——— ——— Johne, 53, 135.
——— ——— ——— . . . . (ſone to Johne), 53, 135.
——— of Wodheid, ... 135.
Lenſhaw, laird of— (younger), 300.
Lenthall, William, (eſquire—Speaker of the Engliſh Houſe of Commons), 349, 423, 466, 523—525 *incl.*
Lentroun, James, (burgeſs of Saint Andrews), 122, 138, 139, 230, 297, 330, 376, 567, 576, 605, 618, 624.
Leny. V. Lany.
Lepyie, baillie of the barony of— 298.
——— parochineris of— 590, 591.
Lepar (Lepper) of Herviſtone, William, 280.
——— Johne, (commiſſioner for Saint Andrews), 96, 177, 178, 199, 213, 223.
Lerber, parochineris of— 549.
Leſk, Mr Alexander, (miniſter), 492.
Leſlie (Leſly) laird of— 91, 212, 303, 377, 378. V. Forbes.
——— of that Ilk, George, 465.
——— ——— ——— ——— (younger), 377, 378, 392, 394, 492, 533.
——— of Auchindoun, Alexander, 28.
——— of Auchintoull, ... 104.
——— of Birdſbank, William, 377.
——— of Buchrome, John, 377.
——— of Durnay, Johne, 608.
——— of Gedlochie, Walter, 439.
——— of Kincraigie, George, (younger), 55, 135, 214.
——— of Kinninvie, Alexander, 378.
——— of the Myres, major general, 277, 376.
——— ——— ——— ——— Johne, 80.

Leſlie of Newtoun, Sir John, (knight), 164, 425.
——— the relict of lieutenant colonel, 93.
——— David, (colonel), 19, 84, 93,—lieutenant general, 187, 234, 242, 245, 250, 255, 258, 259, 266, 269, 285, 301, 314, 322, 327, 365, 376, 393, 417, 418, 443, 448, 469, 489, 492, 602, 620.
——— Mr George, (miniſter at the Cannogate), 347, 491.
——— major general Johne, 582, 587, 588.
——— John, (in Rothes), 299.
——— colonel Ludovick, 237, 326.
——— Marjorie, (ſpous to Patrick Leithe), 608.
——— Sir Patrick, 618, 624.
——— Patrick, (proveſt of Aberdeen), 4, 19, 22, 55, 57, 63, 73, 119, 135, 138, 139, 177, 178, 214, 290, 303, 319, 328, 345.
——— Robert, (brother to lord Lyndoiris), 158, 159.
——— William, (baillie of Cullen), 303.
Leſmoir, laird of— (younger), 303.
Lethem, (Lethaim, Lethen, Lethein), laird of— 267, 299, 372, 403, 484, 539. V. Baillie, and Brodie.
——— ——— ——— (younger), 372.
——— fewars of— 158.
Lethindy, (Lethintie), laird of— 416. V. Blair.
Lethouſe, laird of— 376.
Leven, (Leaven), Earle of— Alexander, 3, 5, 13, 17,—Lord General, 59, 138, 141, 143, 157, 176, 178, 188, 222, 244, 248, 250, 256, 269, 274, 278, 323, 328, 373, 381, 385, 431, 433, 508, 526, 543, 553, 560, 562, 567, 576, 585, 590, 605, 608, 617, 625.
Levingſtoun, lord, 51, 160, 205, 211, 214, 296, 297, 314.
——— laird of— 279. V. Murray.
——— of Bancloach, Sir James, 28.
——— of Benholme (over), Patrick, 135, 212.
——— of Caſtelcarie, ... 298.
——— of Dalders, Sir Alexander, 298.
——— of Killyth, Sir James, 378.
——— of Kirkland, John, 277.
——— of Newtoun, Patrick, 377.
——— of Saltcoittis, (Saltcoats), ... 299, 373.
——— ——— ——— Alexander, 131, 325.
——— of Weſtquarter, Williame, 28, 53,—Sir William, 277, 298.
——— Sir Alexander, 323.
——— Alexander, (portioner of Hanying), 277, 298.
——— James, (keiper of his Majeſty's Privie Purſe), 39, 114.
——— ——— 160.
——— Mr John, (miniſter), 491.
——— John, 373.
——— Margaret, 439, 450, 464.
——— maſter, 288.
——— captain Normand, 298,—captain of the caſtle of Stirling, 416.
——— Norman, (portioner of Falkirk), 257.
——— William, (in Ayr), 416.
——— ——— 190, 257, 608.
——— ——— (Lord of Seſſion), 450.
Leyis, laird of— 300, 377, 492. V. Burnet, Hay, and Pringle.
Libbertoun, laird of— 6, 7, 13, 28, 63, 69, 71, 253, 277, 296, 336, 340, 341, 372, 400, 459, 460, 491,—lord, 506, 514, 531, 537. V. Little, and Winrahame.
Lie, (Lea), laird of— 199, 231, 595. V. Lockhart.
Lindesay, Earle of— Johne, 3, 5, 7, 13, 15—17 *incl.* 20, 23, 24, 36, 41, 44, 51, 57, 60, 61, 63, 69, 71, 100, 105, 112, 113, 126, 127, 133, 138—140 *incl.* 143, 146, 158, 442. V. Crawfoorde.
Lindeſay of Auchinſkeoch, Andro, 302.
——— of Belſtanes, James, (colonel), 4, 51, 57, 69, 138, 140.
——— of Birdſbank, William, 377.
——— of Bonnill, (Bonhill, Banull), Mungo, 53, 374.
——— of Edyell, Johne, 441.
Lindeſay of Kinloch, William, 278, 302.
——— of Kinlogie, William, 212.
——— of Pitſcandly, Mr David, 211.
——— Hugh, 230.
——— John, (ſon to captain Thomas), 288.
——— ——— (commiſſioner for Anſtruther), 297, 548.
——— ——— 376, 595, 596, 618, 624.
——— Lodovick, (Earl of Crawford), 143, 166, 258, 329.
——— captain Thomas, 288.
Lindoris, lord, 617, 618.
Linlithgow, (Lithgow), Earle of— 3, 95, 132, 549, 550, 554, 567, 575, 580, 585, 586, 589, 594, 596, 605, 618, 624.
Linlithgow (Lithgow) of Drygrange, James, 301.
——— James, (portioner of Ridpeth), 299.
——— ——— 257.
——— commiſſioner for— 7, 20, 73—75 *incl.* 84.
Linteun, lord— John, 132, 185—187 *incl.* 278, 300, 302.
Liſle, lord, 338.
——— maſter, 338.
Little of Crakney, John, 298.
——— of Fullage, James, 132.
——— of Libertoun, (Overlibertoun), Mr William, 213, 324.
——— Mr William, 297.
Littlecaldwell, laird of— 302. V. Caldwall.
Litledunragat, laird of— 302.
Littlehope, laird of— 279, 300.
Lochbuy, laird of— 478. V. McLean.
Lochinkit, laird of— 302.
Lochkilkerran, laird of— 547, 548.
Lochnaw, laird of— 143. V. Agnew.
Lochor, Patrick, 512.
Lochquarrat, laird of— 297.
Lochtour, laird of— 83, 93, 580, 589, 601, 605. V. Ker.
Lochyell, laird of— 372, 559, 561, 620. V. Camron.
Lockhart (Lochart) of Bar, Johne, 54, 133.
——— of Carſtaires, Sir William, 93, 416.
——— of Dreghorne, James, 93.
——— of Heidis, Mr John, 298.
——— of Lee, (Ley), Sir James, (one of the Lords of Seſſion), 93, 164, 213, 223, 269, 272, 297, 319, 381, 416.
——— of Tarbex, (Tarbrax), George, 53, 214, 298, 374.
——— of Wickelſhaw, (Wickitſchaw), Stephen, 53, 298.
——— captain Alexander, 365.
——— George, 267, 274, 435.
——— Sir James, 92, 132, 542, 543, 550, 617.
——— Robert, (burgeſs of Edinburgh), 219, 222, 426, 433, 504, 569.
——— Sir William, 132, 213, 298.
——— lieutenant colonel William, 243, 298, 384.
——— ..... 314.
Logane, laird of— 302. V. Irwing, and Macdowell.
——— ——— ——— (younger), 302.
——— of Burncaſtle, George, 52, 131, 211.
——— of Couſtoune, Robert, 297.
——— of Enrick, Johne, 302.
——— George, 310.
——— major, 575.
——— Mr Robert, 521.
Logie, laird of— 303. V. Bayne, and Scot.
——— captain John, 116.
——— Johne, 423.
——— George, 585.
Long, Mr Lillebone, 338.
——— Mr, (Secretary), 530, 537.
Lorne, lord— Archibald, 515, 568, 572, 576, 589, 590, 605.
Lothian, (Louthian, Louthean), Earle of— William, (lord Ker of Newbottill, lieuteuant general), 51, 57, 60, 93—95 *incl.* 116, 117, 131, 138, 139, 143, 176, 178, 212, 213, 222—224 *incl.* 236, 248, 269, 274, 277,

296, 301, 312, 328, 338, 348, 349, 362, 372, 375, 404, 406, 422, 424, 425, 433, 445, 491, 503, 506, 543, 514, 533, 537, 538, 542, 553, 561, 567, 576, 595, 596, 605, 609, 618, 623.

Lothian, Countess of— 60.

Lothian, ſhiref of Eaſt— 274

Loudoun, Earle of— Johne, (lord Mauchlane and Terreinyeane —Lord Chanceſſor), 3, 7, 12, 17, 20, 21, 24, 25, 33, 39, 50, 52, 57, 70, 90, 106, 114—116 *incl.* 133, 138, 153, 164, 176, 177, 179, 198, 212, 222, 269, 289, 290, 296, 300, 309, 319, 324, 326,— preſident of Parliament, 335, 347, 351, 363, 365, 375, 385—387 *incl.* 391—393 *incl.* 395—399 *incl.* 404, 410, 411, 414, 415, 417, 418, 421, 422, 424 —426 *incl.* 432—434 *incl.* 437, 441—445 *incl.* 447, 467, 472, 480—485 *incl.* 487, 488, 493, 503, 504, 506, 510, 515, 531, 534, 540, 541, 577, 618.

Loure, lord— John, 3, 7, 19, 28, 72—75 *incl.* 91, 119, 264, 282, 296, 302, 582, 608.

—— maſter of— 278.

Lovat, lord, 79, 236, 281, 313, 365, 387, 473, 484, 508.

Love, Andro, 518.

—— M^r, 338.

Lowes, ... 530.

Lowreſtoun, laird of— 300.

Lowrie of Blaikwood, William, 374.

—— of Maxweltoun, Johne, (commiſſioner for Dumfreis-ſhire), 4, 53, 132, 213, 298.

Lucas, Sir Charles, (lieutenant general), 105.

Luchart, laird of— 376.

Ludquharne, laird of— (younger), 303, 314. V. Keith.

Lufneſſe, laird of— 279, 299.

Lugtoun, (Lughtoun, Ludgtoun), laird of— 131, 231, 277, 278; 288, 296, 297, 596, 618, 623. V. Crichtoun.

—— —— —— (younger), 296, 297, 324.

Lumiſdene, (Lumiſdane, Lumſden), laird of— 213, 299. V. Douglas.

—— of Innergellie, Sir James, 277, 287, 297.

—— of Montqwhanie, general major Robert, 277, 297.

—— Sir James, 54, 63, 134,—governour of Newcaſtle, 183, 282, 297, 372, 376.

—— major Robert, 282.

—— Mr Thomas, 450.

—— Mr William, 517.

—— colonel Williame, 573.

Lumlar, laird of— 313, 561.

Lundie (Lunde) of that Ilk, ... 54, 133, 213, 297, 392, 416, 595, 596, 618, 623.

—— —— —— (younger), 213.

—— laird of— 377, 389. V. Campbell.

—— of Auchtermerny, Johne, 568; 577.

—— of Drums, David, 376.

—— of Proveſt-mayns, Andro, 377.

—— of Straearlie, James, 376.

—— George, (commiſſioner for Dyſert), 84.

—— captain, 490,—major, 522.

Luſs, (Luſe), laird of— 416, 580, 595, 596, 601, 605, 614, 618, 623. V. Colquhone.

Lyell (Lylle) of Baſſindean, William, 52, 94, 132, 278, 299, 300, 416,—colonel, 575.

—— Walter, 614.

Lyndſay. V. Lindeſay.

Lyntoun. V. Lintoun.

Lyon (Lyoun, Lyone) of Brigton, (Bridgton), Fredrick, (commiſſioner for Forfar), 28, 96, 134, 211.

—— of Coſſines, Peter, (fiar), 302.

—— of Delgetie, Andro, 302.

—— of Melgum, Frederick, 55.

—— of Mureſk, John, 280.

—— of Troupe, John, 302.

—— miſtris Anna, 530.

Lyon, William, (commiſſioner for Brechin), 134, 177, 178, 199, 201, 211.

Macadam, (Maccadam), William, (bailie), 302.

Macalaſter of Loup, Hector, 54, 134, 303, 375.

Macalexander of Corſcleyes, (Corſclayes), ... 117.

—— —— —— Johne, 29.

—— —— —— Robert, 54, 133.

Macalmont, Johne, 74.

Macawlay (Mackaulay, Makcalle, Macauley, Mackala, Mackauly) of Ardincaple, (Ardcaple), Aulay, (fiar), 298, 374.

—— —— —— Walter, 30, 53, 133, 374.

—— Johnne, 326.

Macbane (Macbeane) of Kinkel, Johne, 303.

—— of Tordarrach, Angus, 303.

—— Martine, 237.

MacBirnie, (MacBurnie), Thomas, (commiſſioner for Dumfreis), 53, 57, 138, 140, 177, 178, 280, 290, 298, 319, 374, 417, 426, 501, 503.

—— major Thomas, 280, 450, 518.

Macbrair (Mackbrair, Macbreur) of Almagill, David, 279.

—— of Newark, David, 298.

Maccleane (Maclene, Macklain) of that Ilk, 345, 559, 561.

—— —— —— —— (younger), 345.

—— of Dowart, Archibald, 30, 54.

—— —— —— Sir Lachlane, 134, 375, 391.

—— of Kingerloch, Hector, 54, 133, 375, 507.

—— of Lochbouie, Murdoch, 54, 134, 375, 507.

—— of Tawach, Sir Lawchlane, 326.

—— of Terloiſk, (Torloiſk, Torloſk), Hector, 303, 365, 493, 500.

—— Hector, 236.

—— John, 132.

—— the relict of captan, 447.

Macclellane (Macklellan) of Auchlean, John, 280.

—— of Barſcub, William, 379.

—— of Callin, (Colline, Collein), Thomas, 29, 135, 214, 379.

—— of Dunvegan, Johne, 27.

—— of Gata, Robert, 379.

—— of Gribdie, William, 379.

Maccleud, (Macgloyd, Makgleud, Machcleoud, Macloyd), laird of— (of Dunvegane), 313, 345, 372, 378, 440.

—— of Affint, Donald, 56, 135.

—— of Dunvegan, Johne, 54, 134, 303, 375.

—— of Tallaſker, Rorie, 303.

—— Rorie, (brother to the laird of Maccleud), 313.

—— tutor of— 559, 561.

Macclevine. V. Macilven.

Maccondochie, Calum vic Euen, 602.

—— Euen [vic] Euen, 602.

Macconnell, 345. V. Macdonald.

Macconochie, ... 327. V. Maccondochie.

Maccubine, Fergus, 212, 300, 375.

Macculloch (Maccullo, Macculloh) of Ardwall, Alexander, 374.

—— —— —— William, 117, 133, 379.

—— of Drummorell, (Drumoreſs), Robert, 29, 211, 374.

—— of Glaſtalloch, Andro, 55, 135.

—— of Goodtreis, (Guidtrees, Guthres, Guthers), David, 28, 131, 188, 277, 372.

—— of Kindes, James, 303.

—— of Mertoun, (Myretoun), Johne, 29, 133, 374.

—— Andro, (proveſt of Tayne), 303, 378.

—— David, 213, 296.

—— James, (commiſſioner for Whithorne), 328, 374, 426, 503, 618, 624.

—— . . . . . (rootmaſter), 194.

Maccunning, Fergus, (in Balquhany), 300.

Macdonald, (Macdonnell), the clan, 418.

—— of Glengarrie, Angus, 617.

Macdonald of Lesnoll, Andro, 374.
——— of Sleat, (Slaitt), Sir Donald, 54, 134, 375.
——— -- ——— Sir James, 561.
——— Alaster, (Alexander), 197, 203, 258, 275, 276, 328, 508.
——— Angus, 539.
——— Sir James, 345.
Macdowell (Macdowall, Macdowgal, Macdougal) of Dalregill, Hugh, 211.
——— of Dunnolygh, Alexander, 54, 134, 376.
——— of Freuch, (Freuche), Ochtrie, (Uchred, Uchreid, Uchter, Wchtrey), 29, 53, 117, 133, 374.
——— of Garthland, James, (commissioner for Wigtounshire), 4, 53, 96, 130, 136, 138, 139, 177, 178, 222, 223, 269.
——— of Kilaster, (Kilester), Andrew, (younger), 211, 374.
——— of Knocklas, (Knockglassie, Knocklash), Hugh, 133, 211, 374.
——— of Lesnow, (Lesnall), Andrew, 211, 302.
——— of Logane, Alexander, 53, 133, 374.
——— -- ——— Patrick, (apparent), 374.
——— of Mertoun, John, 374.
——— of Ragra, John, 54, 134, 376.
——— of Stodrig, Thomas, 301.
——— Sir William, 552, 558.
Macean, (Mackean), James, 86.
——— Robert, (burges of Edinburgh), 177, 178, 199, 328.
Macfarlane (MacFerline) of that Ilk, Johne, 53, 133.
——— of Arroquhair, (Arroquer, Arrochar), John, (fiar), 279, 374.
——— -- ——— Walter, 298.
Macgilchrist, (Mackgilcreist), Donald, (burgesse of Rothsay), 300.
Macgill of Cranstounriddell, Sir James, 164.
——— of Rankelour, ... 297, 376.
——— -- ——— David, (fiar), 54, 134.
——— -- ——— James, 28.
——— -- ——— (younger), 213, 297, 376.
——— lieutenant colonell, 91.
——— Mr Robert, 432, 440.
Macgillespick, colonell, 183.
Macgloyd. V. Maccleud.
MacGregor, the clan of— 502.
Macgruder (Mackgruder) of Cairnhill, James, 377.
Machlene. V. Mauchlene.
Macilven of Grimmet, Johne, 29, 54, 133, 212, 300.
Macinlay, Margaret, 548.
Macinnen, laird of— 559, 561.
MacKay of Staurie, Hew, 559. V. Mackie.
——— . . . (brother to the lord Rea), 561. V. Mackie.
MacKenzie, (MacKenyie), clan of— 416, 521.
——— of Coulcoy, Alexander, 569. V. MacKenzie of Kilcowie.
——— of Inuerlawell, Mr Thomas, 503.
——— of Kilcowie, Mr Alexander, 27, 416.
——— of Kincraig, Colin, 27, 503.
——— of Koull, . . . 416.
——— of Plusearden, Thomas, 52, 55, 79, 135, 392, 416, 448.
——— of Ridcastell, Rorie, 303.
——— of Tarbet, Sir John, 27, 279, 296, 334, 346, 416.
——— Coline, (son to MacKenzie of Coulcoy), 509.
——— Kenneth, 237.
——— Mr Murdo, 492.
——— Robert, 302.
——— Symon, 416.
——— . . . . . (son to MacKenzie of Tarbet), 296.
——— Mr Thomas, 334.
Mackerkan, captain, 557, 558.
Mackie (Macky, Mackee, Magie, Macgie) of Bighous, William, 299. V. Magie.
——— of Kairne, 302.
Mackie of Larg, (Largis), Sir Patrick, 29, 53, 135, 214, 379.
——— -- ——— ——— Patrick, 280.
——— of Skaurie, (Schowrie), Hew, (Hugh, Hutcheon), 27, 56, 135, 299, 561.
——— Adam, (baily of Wigtoune), 374.
——— Alexander, (in Polgoune), 379.
Mackill. V. Macgill.
Mackintosh, (Maccentosch, Macintosche), laird of— (of Holme), 279, 300, 327, 345, 378, 559, 561.
——— of Holme, William, 303
——— of Killachie, (Killathie, Keillachie), William, 55, 135, 303.
——— of Thorneagrein, Mr James, 303.
——— Lauchlane, (brother to the laird of Mackintosh), 303, 559, 561.
Macklay, Donald, (bailye), 395.
Mackoll, Mr Heugh, 491.
Mackornock, William, 382.
Maclachlan (MacLanchlane, Macclauchlane) of that Ilk, Lauchlane, 303.
——— -- ——— Lauchlane, (younger), 54, 133, 375.
——— of . . . . John, 135.
——— Colein, (captain of Inchoneil), 303.
Macmurich, Margaret, 548.
Macnab, captain John, 399, 400, 572, 593, 594.
Macnauchtane of Dundarrow, Alexander, 303.
——— -- ——— Malcome, 54, 134, 375.
——— captain, 459.
MacNeill (Mackneill) of Baro, Neill, 27.
——— of Kilmorrey, (Kilmore), Donald, (younger), 54, 300.
——— -- ——— Neill, 30, 300.
——— of Theynes, Hector, 54, 134, 375.
——— Hector, 30.
——— Neill, (bailey of Rothsay), 300.
Macpherson (Macpherfane) of Balchroane, Dougall, 378.
——— of Esigh, Alexander, 303.
——— Angus, 323.
——— Donald, 449.
——— captain Dougall, 303.
——— Dougall, 559, 561.
——— Evan, 465.
——— James, 323.
——— Malcolme, 323.
——— Thomas, 449.
Macquene, (Maquene), laird of— (younger), 212.
Macquorquodaill of Phantillanes, Hew, 303.
Macranald (Mackrannald) of Illantyrum, Johne, (captain of the Clanranald), 54, 134, 375.
——— of Moydart, John, 495.
——— (tutor of Kepach), 559, 561.
Macwilliam, Johne, 548.
Madertie, lord, 559, 561, 620.
Magget of that Ilk, Thomas, 373.
Magie (Macgie) of Balmagie, John, 29, 53. V. Mackie.
Maine, captain, 346.
Mainishill, laird of— 273.
Mair, Gilbert, (commissioner for Bamff), 26, 284.
Maitland, lord— John, 51, 59, 70, 106, 115, 131, 141, 596.
——— Robert, 54, 134.
Makgleud. V. Maccleud.
Malcolm, John, 198.
——— ——— (chalmerlane of Fyfe), 571.
Malloche of Carny, Mr John, 416.
Manchester, Earle of— 99, 337.
Maner, laird of— 93, 199, 279, 297, 328, 614, 618, 623, 624. V. Dundas.
Mangerstoun, laird of— 302. V. Scott.
Mar, Earle of— 3, 95, 257, 277, 298, 299, 539, 609.
——— ——— ——— John, 199.
Mar, Gilbert, 328.

Marjoribanks, Mr Andro, 279.
——— John, (burges of Edinburgh), 416.
MARISHALL, (Marſchaell, Marſchell, Marchell, Merſchell), EARLE OF— Williame, 3, 5, 13, 19, 52, 57, 79, 91, 95, 119, 135, 138, 139, 176, 178, 192, 198, 212, 214, 219, 220, 222, 265, 267, 268, 296, 300, 302, 303, 313, 328, 445, 533, 541, 559, 561, 568, 578, 594, 596, 601, 607, 618, 623, 625.
——— COUNTES OF— 440.
Markill, laird of— 279.
Marſhall (Marſchaell) of Doller, Gawin, 54.
——— Lues, 85.
——— livetennant colonell Thomas, 575.
Martin, George, 475.
——— M^r, 338.
Marton, laird of— 211.
MARY, QUEEN, 359.
Maſon of Innereſk, John, 277.
Maſſie, (Maſſey), general major, 565, 575, 581, 590.
Maſtertoun of Parkhill, John, 299.
——— of Parkmylne, Robert, 211.
——— Robert, (baily of Clackmannan), 299.
——— ——— (burgeſs of Edinburgh), 439.
Mathewſon, Robert, 440.
Mauchlein, lord, (ſon to the Earl of Loudoun), 533, 534, 540, 554, 568, 576, 605, 614.
Maudiſly, laird of— 132.
Mauld (Maule) of Melgune, (Melgum), Henry, 28, 134, 211.
——— of Panmure, Alexander, (younger), 278.
——— -- ——— Patrick, 144.
——— of Ropakellie, colonel Henry, 89, 243, 296, 300, 313, 334, 346, 559, 561, 575.
MAURICE, PRINCE, 101.
Mauriefauld, laird of— 303.
Maxtoun of Cultoquhy, ... 301.
Maxwell, laird, 569.
——— of Calderwood, James, 53, 298.
——— of Conhaith, Alexander, 235.
——— of Dechmont, (Dechmounth), Alexander, 188, 214, 279, 297, 416.
——— of Drumcoltrum, John, 94.
——— of Innerweik, James, 131, 238, 267.
——— of Kirkhouſe, Robert, 135.
——— -- ——— William, 280.
——— of Middelkeltoun, William, 157, 189.
——— of Munreith, William, 211, 374.
——— of Munſches, George, 189.
——— of Newark, Sir Patrick, 54, 133, 223.
——— of Orchyheardtoun, (Orchardtoun), ... 189.
——— -- ——— Sir Robert, (appearand), 280.
——— of Pollok, ... 304.
——— -- ——— (nether), Sir George, 426, 432, 433, 473, 503.
——— -- ——— ——— Sir John, 54, 133, 298.
——— of Portrak, Robert, 298.
——— of Southbarne, Johne, 29.
——— of Sprinkell, James, 234.
——— of Steilſtoun, Williame, 29.
——— of Telin, (Teilyn, Teilling), ... 28, 134, 201.
——— -- ——— Patrick, 223.
——— Alexander, (maiſter), 160.
——— ——— 86.
——— Archibald, 474.
——— Mr Gabriel, (miniſter of Dundonald), 336.
——— Mr Johne, (Biſhop of Roſs), 104.
——— Mr Patrick, (thiref clerk of Perth), 279.
May, laird of— 303, 539.
Mayne, captain, 334. V. Maine.
——— doctor, 89.
——— Mr Robert, 288.
Maynes, laird of— 132, 157, 379. V. Stuart.
Medop, (Medhope), laird of— 53, 279, 297. V. Drummond.
Megget of Maſtertoun, Thomas, 277, 297.
Meiklejohn, Robert, (commiſſioner for Edinburgh), 93, 96, 131, 136.
Mein, Barbara, 439.
Meldrum, laird of— 378, 531.
——— of Auchnevir, John, 303.
——— of Burghley, Mr Robert, 176, 178.
——— of Gogor, Mr Robert, 301.
——— of Haltoun, ... 55.
——— of Lichuet, Peter, 302, 377.
——— of Tullibody, Mr Robert, 299, 416.
——— Sir Johne, 99.
——— major ... 119, 243.
——— Mr Robert, 15, 17, 39, 40, 59, 63
Melgrund, laird of— 554.
Melgum, (Melgin), laird of— 278, 302, 377. V. Mauld, and Lyon.
Melvill, the lord, 158.
——— of Bruntiland, Sir James, (knight), 119, 213, 297, 491.
——— of Halhill, Sir James, 376.
——— captain, 565.
——— Mr Ephraim, 491.
——— Sir George, (maſter houſehold to the King), 538, 547, 567, 575.
Memſie, laird of— 303.
Menquhill, laird of— 302.
Menteith. V. Monteith.
Menzies (Minyeis) of Comrie, (Comries), Alexander, 28, 55, 134, 301, 366.
——— of Coulteravis, (Culterallers), Alexander, 214, 298.
——— of Fergarmoch, Thomas, 134. V. Menzies of Togermach.
——— of Kilmundi, Mr Alexander, 303.
——— of Pitfoddellis, Sir Gilbert, 28, 55.
——— of Togermach, Thomas, 377.
——— of Tormannoch, Thomas, 278.
——— of Weyms, (Weeme), ... 391.
——— -- ——— Alexander, 565.
——— Alexander, 365.
——— lieutenant colonel, 438, 449.
——— Mr Johne, 492.
——— Margaret, 470.
——— Martine, 281.
——— Thomas, 517.
Mercer (Merſſer) of Adie, colonel James, 51, 55, 243, 301, 314.
——— Archibald, (commiſſioner for Culroſſe), 96, 212.
——— John, (baillie), 301.
Merſchell. V. Marishall.
Merſingtoun, laird of— 464. V. Ker.
Merſſer. V. Mercer.
Mertene of Clerkhill, Robert, 303.
Mertoune, laird of— 92, 302, 554. V. Macculloch, and Macdowell.
Methven, heritors of— 553.
Middleſtead, laird of— 302. V. Scot, and Ellot.
Middletoun of Caldhame, Robert, 135.
——— of Cowdoun, Robert, 55.
——— of Fettercairn, John, (general major), 228, 236, 237, 241—246 *incl.* 254, 256, 269, 274, 285, 300, 314, 317, 322, 326, 328, 334, 345, 346, 384, 448, 488, 590.
——— Mr John, 317.
Midkeltoun, laird of— 346. V. Maxwell.
Mildmay, Sir Henry, 338.
Milhall, laird of— (younger), 378.
Mill, (Myſne), James, 302, 377.
——— John, (commiſſioner for Forfar), 211, 302, 328, 595, 596, 618, 624.
Millington, M^r, 338.
Milne, colonel George, (governor of Dundee), 345.
Milneburne, laird of— 132.
Minto, laird of— 439, 451.

Mitchell of Kincarrock, Hugh, 278, 377.
——— of Kymaroquhy, Hew, 301.
——— Samuell, 297.
——— Mr Thomas, (perſoun of Turreff), 23.
Mitchelſone, Adam, (burges of Edinburgh), 89.
——— Robert, 131.
——— Samuell, (portioner of Middletoun), 372.
——— .... (ſurgeon), 89.
Mochrum, laird of— 211, 302. V. Dumbar, and Glendonning.
——— —— —— (younger), 211.
Moir (More, Moore, Mure) of Aniſtoun, ... 53. V. Mure.
—— of Caſſincarrie, Richart, 301. V. Mure.
—— of Otterburn, Mr William, 133, 212, 301, 375, 426.
—— of Scottiſtoun, Mr William, 55, 119, 135.
—— Mr William, 91, 214, 378.
Moncreiff (Muncreiſſe) of that Ilk— laird of— 84, 297, 376, 503, 519.
——— —— —— Sir John, 55, 134, 301, 347, 377.
——— —— —— ..... (brother to the laird of Moncreiſſe), 84.
——— laird of eiſter— 212, 365, 376.
——— —— —— John, 301.
——— of Craigie, Mr David, 134.
——— of Kinmonth, John, 278.
——— of Kintello, William, 212, 278, 377.
——— of Tibbermalloch, Mr Hugh, 278, 301.
——— Mr Alexander, (miniſter at Skoony), 347.
——— capitane, 17, 25.
——— dame Gelis, (relict of Sir James Oliphant of Newtoun), 365.
——— James, (commiſſioner for Crail), 73.
——— Mr John, 491, 492.
——— Matthew, (in eaſter Rynd), 377.
——— .... (rootmaiſter), 84.
Mongothame, laird of— 376.
Moniaburgh, heretors of— 459.
Monkredeing, laird of— (younger), 375.
Monktoun, (Mongtoune, Muncktoun), laird of— 131, 297, 324. V. Grahame, and Hay.
Monorgand, James, 439.
Monorgund, (Monorgune), laird of— 278, 302, 328, 443. V. Grahame.
Monroe, clan of— 516.
——— of Bukies, David, 304.
——— of Cokill, Hector, 503.
——— of Contuliche, Hew, 303, 378.
——— of Findoun, Neill, 303.
——— of Lamlair, John, 279, 392.
——— of Obſtaill, (Obiſdale), Robert, 27, 279, 299, 378, 503.
——— Alexander, 521.
——— Andro, (portioner of Culearne, (Culkarne), 378.
——— David, (commiſſar of Caithnes), 280, 379.
——— major general, 72, 81, 82, 143, 223, 227, 271, 469.
——— colonel George, 157, 355.
——— George, 344, 355, 444, 600.
——— Sir Robert, (tutor of Foulles), 55, 135.
——— major Robert, 345.
Monteith (Menteith) of Carriber, William, 297.
——— of Carſeybank, (Carſiebank), James, 297, 298, 301.
——— of Gencheill, Patrick, 416.
——— of Randforde, (Rundfoorde), William, 28, 54, 122, 134.
——— of Weſtquarter, ... 376, 378.
——— James, (pewterer), 440.
——— ——— 567, 576, 618, 624.
——— Lewis, (proveſt of Linlithgow), 374.
——— ..... 605.
Montgomery, (Mountgomery, Mongumrie, Mongomrie), lord, 92, 133, 205, 247, 273, 300, 302, 314, 408, 557, 568, 576, 580, 605, 606.
——— laird of— 296.
Montgomery of Hiſſilheid, Robert, 29, 54.
——— of Langſchaw, (Lenſhaw), Neill, 29, 54, 133.
——— —— ——— (younger), 375.
——— of Skermurlie, (Skelmorley), Sir Robert, 4, 52, 54, 135, 243, 300, 372.
——— —— ——— (younger), 300, 372, 379.
——— —— ——— (youngeſt), 300.
——— of Weitlands, James, 214.
——— Alexander, (in Forres), 299.
——— captain George, 522.
——— lieutenant colonel Hugh, (general adjutant), 244.
——— Sir James, 553, 557, 558.
——— colonel James, 557.
——— colonel Robert, 389, 424, 438, 489, 519, 520, 522, 542, 543, 547—550 *incl.* 554, 557,—general major, 587, 588, 593, 594, 614, 615, 617.
——— Robert, 314, 392.
——— rootmaiſter, 519.
Montgrenane, laird of— 273.
Month, laird of— 297.
Montrose, Earle of— 94, 104, 182, 258, 280. V. Grahame.
Monturpie, laird of— 297. V. Robertſon.
Monygaff, parochineris of— 588.
Monyie, laird of— 416.
Monymuſk, laird of— 377, 378, 394. V. Forbes.
Monypenny of Pitmillie, Sir James, 122, 347, 376.
Monyvaird, laird of— 416.
Moodie, (Mudie), Archibald, 223.
——— Thomas, (commiſſioner for Dundie), 296.
Moore. V. Moir, Mure, and More.
Mordingtoun, lord, 608, 611.
More, Mr William, (burgeſs of Aberdeen), 119, 426, 504. V. Moir, and Mure.
Morgle of Tippermuir, George, 377.
Moriſon (Moreſoun, Moriefone) of Bignie, Alexander, 303.
——— of Preſtongrainge, Sir Alexander, 52, 131, 269.
——— of Tillibody, Sir George, 211.
——— George, 618, 624.
——— Mr James, (miniſter), 516, 517.
Morphie, the lord of— 438.
——— laird of— 52, 91, 296, 300, 328, 531. V. Grahame.
——— —— —— (younger), 300.
Morrey, Sir James, 609. V. Murray.
Mortimer of Haſſilheid, Thomas, 55.
——— of Stanilyes, Thomas, 280.
Morton, (Mortoun), Earle of— 3, 6, 86, 271, 285, 296, 313, 326, 328.
——— ——— —— William, 138, 139, 144, 157, 176, 178, 269.
Morton of Campbo, (Cambo), Sir Thomas, 54, 134, 468.
Mortumer, Thomas, (bailie of Aberdeen), 303.
Morvinſyd, parochiners of— 587.
Moſcrope, George, 301, 375.
Moſſe, Johne, 558, 560.
Mouſwall, (Mouſwald, Mouſill, Muſwall), laird of— 132, 296, 372, 580, 595, 618, 623. V. Douglas.
Mowat, James, (writer), 287.
——— Mr Mathew, (miniſter of Kilmarnock), 346.
——— Mr Roger, (advocate), 69, 160, 183, 285, 287, 432, 435, 502.
Moy, laird of— (younger), 378, 392. V. Campbell, and Gordoun.
Muckart, fewaris of— 621.
——— heritors of— 472.
Mudie of Malſiter, (Melſetter), James, 27, 56, 136, 379. V. Moodie.
Mulgrave, Earle of— 337.
Mulligan, (Mullikene), Alexander, 280, 304.
Muncktoun. V. Monktoun.
Munraith, laird of— 302. V. Maxwell.
Munroe. V. Monroe.
Munſon, lord, 338.

Murdiſtoun, laird of— 132.
Murdoche, laird of— 302.
——— of Calinſoddan, Alexander, 379.
——— John, 447.
Mure of Anneſtoun, John, 374. V. Moir.
—— of Caſſincarry, (Caſſincarie), Alexander, (younger), 379.
—— —— ——— Richard, 29, 53, 135, 379.
—— of Glanderſtoun, (Glanneſtoun, Glenderſtoun), William, 133, 214, 385, 424.
—— of Rowallan, Sir William, 4, 54, 57, 133, 138, 139, 177, 178.
—— —— ——— (younger), 133.
—— Alexander, 25, 26, 75, 80—82 *incl.*
—— George, (livetenent colonell), 74.
—— lieutenant John, 436.
—— Quintyne, (town major of Berwick), 484, 485.
Murehead of Bradifholme, Mr James, 298.
Mureſk, laird of— 303. V. Lyon.
Murkill, laird of— 296, 313, 328, 491. V. Sinclair.
MURRAY, (Murrey), EARLE OF— James, 52, 91, 119, 281, 288, 289, 296, 299, 301, 303, 313, 326, 328, 415, 533, 624.
Murray of Abirtorſe, Walter, 299.
——— of Auchtirtyre, (Ochtertyre), ... 399.
——— —— ——— Mr Patrick, (ſher), 28, 278.
——— —— ——— William, (ſiar), 376.
——— —— ——— (younger), 278, 376.
——— of Babertoun, James, 277.
——— of Blakbarronie, (Blaikbarronie), Sir Alexander, 29, 52, 132, 300.
——— of Brigtoun, Johne, 53.
——— of Brochtoun, (Brughtoun), Johne, 133, 494.
——— of Buchintie, (Buchantie), Robert, 278, 610.
——— of Cardon, Patrick, 302.
——— of Cowdoun, (Cowdone), Mr John, 301, 416.
——— of Dewchar, (Dewcharre), James, 52, 132, 213,—Sir James, 302.
——— of Dumcreiffe, ... 53.
——— of Ethies, colonel Sir Mungo, 416.
——— of Gaſk, James lord, 134.
——— of Halmyre, Walter, (ſiar), 300, 373.
——— of Hermieſtoun, (Hirdmanſtoun), William, 213, 297, 372. V. Hirdmeſtoun.
——— of Kilor, (Keillour), ... 416.
——— —— ——— William, 301, 470.
——— of Kinkell, (Kinkill), David, 278, 301.
——— of Kirkhouſe, John, 300.
——— of Livilandis, (Levilandis), John, 298.
——— —— ——— ——— (younger), 277.
——— of Livingſtoun, Sir Walter, 29, 53, 132, 214, 297.
——— of Lochland, ... 301.
——— of Moraquhat, 53.
——— of Mylnehill, Patrick, 301.
——— of Newtoun, Patrick, 297.
——— of Ochtertyre. V. Murray of Auchtertyre.
——— of Pennieland, Johne, 56, 136, 280, 304.
——— of Philiphauche, Sir Johne, 52, 132, 213, 373, 396.
——— of Pitgoardie, (Pitgrudie, Putgrudie), Walter, 27, 56, 135, 379.
——— of Polmais, (Pollmaes), . . . 28, 51.
——— of Pulroſſie, (Pultroſſie), Robert, 27, 56, 135, 379.
——— of Rolmanno, (Romano, Rovmanno), James, 132, 300.
——— —— ——— (younger), 416.
——— —— ——— captain John, 300, 373.
——— of Skirling, Sir James, 300, 373, 561.
——— of Sowie, Alexander, 278.
——— of Spanyedale, Robert, 280, 299.
——— of Stonehope, (Stenhope, Stanihope), Sir David, (commiſſioner for Peiblesſhire), 29, 52, 95, 131.
——— of Strivane, Alexander, 301.
——— of Sundhoup, (Sindhope), Gideon, 373.
Murray of Sundhoup, (Sindhope), Johne, 52, 132.
——— of Wakefield, (Walkfield), Sir John, 277.
——— of Wodend, Patrick, 278.
——— Adam, 132.
——— adjutant, 575.
——— Alexander, (in Cullen), 377.
——— Sir David, 92, 132.
——— David, (merchant), 450.
——— Homer, (commiſſioner for Annand), 4.
——— Sir James, 555, 565, 568, 597, 607, 609, 615.
——— James, 213.
——— Iſſobell, 464.
——— Meſeres, 608.
——— lieutenant colonel Mungo, 194, 243,—Sir Mungo, 314.
——— Sir Robert, 516, 519,—Lord Juſtice Clerk, 587, 588, 593, 594, 596, 597,—Lord of Seſſione, 624.
——— Robert, (baily in Thurſo), 56, 136, 379.
——— ——— 304.
——— Mr Thomas, 441,—commiſſar of Caithnes, 573.
——— —— ——— (advocate), 432.
——— —— ——— (ſhiref deput of Pearth), 377.
——— —— ——— 580.
——— Sir Walter, 285.
——— Walter, 278.
——— major William, 297, 378.
——— William, (portioner of Langhirdmeſtoun), 131.
——— ——— 205, 407, 409.
——— ſhiref of— 269, 299, 300, 378, 559, 561.
Murtle, laird of— 522.
Muſchet of Craighead, Robert, 301.
Muſgrave, Sir Philip, 295, 318, 530, 537, 568, 572, 577.
Muſſelburgh, the two baillies of— 277.
Muſtermaſter, the General, 520.
Muſwall. V. Mouſwall.
Mylne. V. Mill.
Mynto. V. Minto.
Myretoun of Cambo, Sir Patrick, 604.
——— —— ——— Sir Thomas, 28, 604.

Naghtoun. V. Nauchton.
Nairne (Nearne, Narne) of Craigy, ... 416.
——— of Muccarſie, (Mr Johne's brother), 416.
——— of Samphurd, ... 297.
——— of Strathurd, Mr Robert, 301.
——— Duncan, (baily of Stirling), 378.
——— ——— 582, 595, 596, 618, 624.
——— Johne, 609.
——— Sir Thomas, 376, 389, 392, 490, 522.
——— . . . . . 607.
Naper, (Nappar), lord, 248, 281, 519, 520.
——— lady, 230.
——— of Kilcreuch, Mr Robert, 28, 53, 277.
——— of Kilmachew, (Kilmaihew), Johne, 30, 133, 298.
——— —— ——— Robert, 298.
——— Valentine, 588, 589.
——— . . . . . 519.
Naſmyth (Neſmyth) of Poſſo, Sir Michaell, 29, 132, 351.
——— —— ——— James, 52, 132, 300, 373.
——— Mr James, 491.
——— Mr John, 300.
Nauchton, (Naghtoun), laird of— 213, 297, 304, 376, 567, 569, 576, 580, 586, 601, 605, 615—618 *incl.* 623. V. Hay.
——— —— ——— (younger), 213.
Neill, Robert, 63.
Neilſland, laird of— 298. V. Hammiltoun.
Neilſon of Craigcaffie, Gilbert, (ſiar), 133, 374.
——— William, 132.
Netherpollock. V. Pollock.

Netherſkeldoun, laird of— 375. V. Crawfoorde.
Nevoy of that Ilk, Johne, (fiar), 55, 134.
——— of Mathie, John, 211.
——— maſter John, (miniſter of Loudoun), 346, 491.
Newburgh, lord, 542,—VICOUNT OF— 552, 567, 576, 580, 592, 595, 596, 605, 616, 618, 623.
NEWCASTLE, EARLE OF— 8.
——— MARQUISE OF— 105.
Newcaſtle, governour of— 249.
Newgrange, laird of— 302, 618, 623. V. Ogilvie.
Newlaw, laird of— 302.
Newliſtoun, laird of— 279, 587. V. Dundas.
Newtoun, laird of— 297, 298, 324. V. Anderſoune, Done, Edgar, Falconer, Hammiltoun, Johnſtoun, Ker, Leſlie, Levingſtoun, Murray, Oliphant, and Weir.
——— ——— ——— (younger), 297.
New-wark, laird of— 214, 302, 375. V. Macbrair, and Maxwell.
Nicholas, M^r ſerjant, 338.
Nicolſoune (Nicolſone) of Carnock, Sir Thomas, (commiſſioner for Striuelingſhire), 28, 69, 94, 95, 135, 138, 139, 176, 178, 183, 298, 598, 618.
——— of Colbrandſpeth, (Colbethſpeath), Sir James, 53, 212, 278, 299.
——— of Poltoun, Johne, 131, 213, 277.
——— Mr Thomas, (advocate), 69, 133, 185,—King's advocate, 422, 425, 432, 433, 440, 503, 507.
Nidrie, (Nithrie, Niddry), laird of— 83, 85, 92, 277, 296, 372, 445, 491, 517, 526, 547, 561, 567, 568, 576, 580, 585, 586, 595, 596, 605, 609, 618, 623, 624, 626. V. Wauchope.
Niſbet (Neſbet) of Dean, Sir William, (knight), 131, 188, 213, 277, 296, 297, 324.
——— Sir Harie, 324.
——— Mr Johne, 583.
NITHISDALE, (Niddiſdale), EARLE OF— 7, 104, 245, 247, 289, 296, 298, 301, 594.
——— ——— ——— Robert, 189.
Noble of Ardardan, William, (fear), 257, 298.
——— of Fern, (Feirme), ... (younger), 53, 133.
——— of Kippermínſheuche, captain George, 374.
NORTHUMBERLAND, EARLE OF— 337.
Norton, Mr Gregory, 338.
Norwell, Mr George, (advocate), 569.
NOTINGHAME, ERLE OF— 6, 290, 337.
Nunraw, laird of— 279. V. Hepburne.

Obſdaill, (Obſtaill), laird of— 303, 372, 391. V. Monroe.
Ochiltrie, lord, 359, 385.
Ochterlony (Ochterlonie, Auchterlony, Achterlony) of Guind, John, (elder), 211.
——— of Hoſpitalfeild, Johne, 134.
——— of Weſterſeatoun, John, 302.
——— *Johne*, (commiſſioner for Arbroath), 4, 73, 84, 91, 96, 119, 134, 138, 139, 199, 211, 223, 278, 302, 328, 596, 618, 624.
——— William, 302.
Ogilvie, (Ogilbie), lord, 448, 479, 559—561 *incl.* 575, 607.
——— ——— *James*, 14, 22, 23, 104.
——— of that Ilk, Thomas, 442.
——— of Balfour, James, 55, 134.
——— ——— ——— John, 211.
——— of Bamffe, ... 95.
——— of Boigheads, William, 303.
——— of Boyne, Walter, 55, 119, 212, 302.
——— of Halyeardis, George, 55, 135, 212.
——— of Inchmartein, Sir Patrick, 28, 55, 117, 134, 301, 399.
——— of Kempcairne, (Kirkcairne), Alexander, 23, 55, 135, 302, 377.
——— ——— ——— John, 377, 378.
Ogilvie of Knock, Alexander, 28, 212, 303.
——— of Lunegair, George, 280, 300.
——— of Mourtoun, John, 301.
——— of Newgrange, Sir James, 134, 278.
——— of Pitmony, (Pitmonis), Johne, 55, 134, 211.
——— of Poldavie, Walter, 55, 135, 377.
——— of Raghill, (Raggell, Ragwell), James, 55, 212, 303.
——— ——— ——— Walter, 303.
——— of Reidhyve, (Reidhythe, Rydhithe), James, 377.
——— ——— ——— Walter, 135, 212, 303.
——— of Weſthall, James, 135, 378.
——— of . . . . Laurence, 117.
——— Alexander, (wryter), 63.
——— ——— ——— 487, 507.
——— Sir David, (ſon to the Earl of Airlie), 443.
——— ——— ——— 334.
——— James, (EARL OF AIRLIE), 197.
——— Sir James, 582.
——— James, 517.
——— Jeane, 517.
——— John, (bailie of Culand), 303.
Oiſburne. V. Oſburne.
Oiſwald, Mr Andro, 298.
Oliphant of Bachilton, (Bauchtelltoun), Johne, 28, 55, 212, 301, 377.
——— ——— ——— (younger), 84.
——— of Balgonie, William, 278, 301, 377, 399.
——— of Colteuchar, (Colteochar), Mr Niniané, 117, 177, 377.
——— of Gaſk, Lawrence, 278.
——— of Newtoune, Sir James, 365.
——— of Pitkethly, Laurence, 377.
——— of Tempennane, James, 416.
——— Mr George, (ſecound ſone to Sir James), 365.
——— Jeane, 564.
——— Peter, 297.
——— Thomas, 376.
——— Mr William, 211.
——— William, (in Forgon), 377.
——— ——— (brother to Oliphant of Colteuchar), 117.
Omachy, laird of— 416. V. Durhame.
Oneal, ... 19.
Oodſtoun, goodman of— 132. V. Udſtoun.
ORANGE, PRINCE OF— 346, 513.
Orbeſtoun, the lord, 132, 618, 623. V. Hamiltoun.
Orcheardtoune, (Urchartoun), laird of— 301. V. Maxwell.
Orde of Fineaughty, William, 303.
ORENAY, BISHOP OF— 158.
Ormeſtoune, laird of— 297, 299, 372, 373, 389, 392, 410, 491, 522, 595, 596, 618, 623. V. Cockburne.
——— ——— ——— (younger), 297.
Orr of Langfillie, James, 28.
Oſburne, (Oiſburne), livetenent Allan, 614.
——— Johne, (commiſſioner for Air), 54, 96, 133, 300, 375.
——— colonell William, 267.
Ouchinleck of Balmanno, Sir William, 301. V. Auchinleck.
Oudnie. V. Udnie.
Overtoune, laird of— 298. V. Hammiltoun.

PANMURE, EARLE OF— Patrick, 300, 302, 377, 407—409 *incl.* 439, 473, 503, 601, 605.
Panmure, (Penmure), laird of— 91, 281. V. Mauld.
——— ——— ——— (younger), 211.
Paplay of Broomehill, Patrick, 27.
Parbroth, lord, 323.
——— the ſon of lord— 323.
Pardowie, laird of— 277, 298.
——— ——— ——— (younger), 298.
Parke, laird of— 212, 300, 302, 375. V. Hay.
Parkhay, laird of— 211.

Parliament, the preſident of— 624.
Paterſone of Dinnure, (Dinnoor), Robert, 55, 134.
——— of Litlekinhair, Gilbert, 297.
——— Barbara, 553, 555.
——— George, (in Falkland), 376.
——— Mr Johne, 492, 547, 580.
——— Thomas, (commiſſioner for Edinburgh), 73, 84, 138, 139, 213.
Pattoun (Patton) of Sefort, James, 211.
——— Robert, 365, 381.
Paull, Gland, (Glaud?), 462.
Pedether, James, 119.
Pedie, (Peadie, Peaddie), James, (commiſſioner for Montroſe), 197, 199, 211, 219, 222, 302, 328, 330, 618, 624.
Peebles, Mr David, 374.
——— commiſſioner for— 73.
——— proveſt of— 278, 300, 373.
PEMBROKE, EARLE OF— 337.
Pendor, James, 436.
Penington, Mr alderman, 338.
Penkil, laird of— 212, 300, 375. V. Boyd.
——— ——— ——— (younger), 300, 375.
Penman, Robert, 297.
Perſone (Pearſon, Pierſone) of Balmadies, James, 134, 211.
——— of Kippenros, ... 416.
——— Mr Alexander, 432, 433, 440, 572.
——— Alexander, 69, 183, 258.
——— James, (proveſt of Dundee, commiſſioner for Forfar), 96, 177, 178.
——— ——— 572.
——— John, 213.
Pert, heritors of— 593.
——— parochinaris of— 592.
PERTH, EARLE OF— 3, 61, 63, 95, 296, 301.
——— ——— ——— John, 134, 199.
Perth, baillies of— 377.
——— commiſſioner for— 6, 13, 63, 69, 71, 85, 393.
——— magiſtratis of— 559.
——— miniſters of— 550.
——— proveſt of— 550.
Petnacaddell, laird of— 303.
Pettigrew, Thomas, 374.
Phareis, William, 213.
Phillone, laird of— 302.
Phillorth, laird of— 7, 28, 296, 303, 328, 591, 597. V. Fraſer.
Philophauch, laird of— 302. V. Murray.
Phintilloch, laird of— 302.
Pierſon. V. Perſone.
Pilrig, laird of— 297, 324.
Pincartoun, Andro, (commiſſioner for Rutherglen), 374.
Pirie, John, (chamberlain of Mauldſlie), 374.
Pirne, laird of— 278. V. Taite.
Pitcairne of that Ilk, David, 54, 134.
——— of Inuernytie, (Inuernethe), Andro, (younger), 301, 442.
——— of Treatoun, James, 297.
——— of Uneſtoun, (Uniſtoun), John, 277, 297.
——— Gawin, 68.
——— Mr Patrick, 281, 365, 377, 439, 441.
——— Robert, 601, 605.
Pitcaple, laird of— 303.
Pitcullo, laird of— 297.
——— Mr George, 492.
Pitfoddellis, laird of— 300, 303.
Pitforthie, laird of— 302, 377. V. Guthrie.
Pitfoure, laird of— 303. V. Hay.
Pitlethie, laird of— 94, 297, 376. V. Read.
Pitlochie, laird of— 212.
Pitmillie, laird of— 213, 297. V. Monypenny.
Pitmowes, laird of— 302.
Pitſcandlie, (Pitſcandly), laird of— 278, 302. V. Lindeſay.
Pitſcottie, colonel Coline, 243, 365, 389, 490, 506, 519.
Pitſligo, lord, 230, 303, 543.
——— tutor of— 303, 372, 378, 492.
Pittarrow, laird of— 300, 302, 328, 561. V. Carnegie.
Pittodrie, laird of— 378. V. Erſkin.
Pityellonie, lady, (relict of captain Drummond), 564.
Plandergaiſt, laird of— 297, 299, 328. V. Home.
Pluſcarden. V. MacKenzie.
Polkemmet, laird of— 374.
Pollock of that Ilk, Robert, 54, 133, 372, 391, 462, 569.
——— laird of Nether— 302, 336, 374, 375, 537.
Polmais, laird of— 199, 211, 257, 296, 298, 328, 330, 416, 575. V. Murray.
Polmude, laird of— 278. V. Huntar.
Polſtoun, (Polſoun), John, (bailie of Iuvernes), 303, 378.
Poltoun, laird of— 297. V. Nicolſoune.
Polwart, laird of— 278. V. Home.
Pook of that Ilk, ... 29.
Porter, general major, 105.
Porterfield of that Ilk, Alexander, 29, 54, 133, 302, 328.
——— of Hapland, Gabriell, 29.
——— George, (commiſſioner for Glaſgow), 53, 81, 82, 138, 140, 177, 178, 223, 269, 330, 336, 391, 426, 427, 433, 434, 445, 503, 517, 537.
——— ——— 57.
Porteus (Porteous) of Hailkſhaw, Patrick, 373.
——— Robert, (younger), 277, 297, 373.
Portlethem, laird of— 300.
Poſſo, laird of— 278. V. Naſmyth.
Potmollies, laird of— 278.
Powhouſe, laird of— 298.
Pratt, Elizabeth, 572.
——— Johne, 572.
Preſton, (Preſtoun), laird of— 84, 85, 93, 94, 211, 279, 298— 300 *incl.* 372—374 *incl.* 594—596 *incl.* 618, 623. V. *Hammiltoun.*
——— laird of *Littill*— 595.
——— of Airdrie, Johne, (fiar), 54, 134.
——— of Craigmillar, ... 52.
——— of Valeyfeild, (Valiefeld), Sir George, 55, 278, 301, 372, 376, 389.
——— Sir George, 551, 572.
——— Mr Robert, (tutor of Randifuird), 297, 376.
Preſtoungrange, laird of— 211, 278, 279, 296, 297, 299, 300, 328, 330. V. Moriſon.
Prieſthill, laird of— 303. V. Roſe.
Primroſe, Archibald, (clerk of Parliament), 59, 87, 95, 115,—Sir Archibald, 288, 324, 386, 387, 392, 420, 421, 596, 597, 624.
——— Mr James, (clerk to the Privy Counſell), 474.
Prince, Henry, (baillie of Kirkwall), 56, 136, 379.
Pringle (Pringill) of Blindlie, Robert, 52, 132.
——— of Bucholme, James, 29.
——— of Chapelhill, Robert, 373.
——— of Corralferrie, John, 131.
——— of Frierknow, Walter, 373.
——— of Leyis, Lancelot, 299.
——— of Newhall, Walter, 373.
——— of Stitchill, Johne, (fiar), 132, 212.
——— ——— ——— Robert, 29, 53, 54, 133, 212, 301, 375, 441.
——— of Templehall, Robert, 131.
——— of Torwoodlie, (Torretlie), James, 29, 52, 117, 132, 213, 373.
——— of Whytbank, James, 29, 52, 132, 302, 373.
——— ——— ——— (younger), 373.
——— of Woodhead, Mr John, (fiar), 211, 279, 410.
——— ——— ——— (younger), 279.
——— Mr John, 373.
——— Robert, (portioner of Cliftoun), 301.
Printer, the King's, 158.

Privike, laird of— 212. V. Cunninghame.
Progers, M^r, 530.
Prymrofe. V. Primrofe.
Purefoy, colonel, 338.
Purves, (Purwes), James, (commiſſioner for Dumbar), 4, 52, 96, 138, 139, 211.
——— John, 299, 373.
——— William, (baillie in Dumbar), 279, 299, 373.
——— ——— (baillie of Muſſilburgh), 373.
——— ——— (commiſſioner for Dumfries), 84.
——— ——— (wrytter), 602.
——— . . . . (burgeſſe of Dumbar), 131.

Quarrell, laird of— 211, 298.
Quartermaiſter, the Generall, 516, 562, 587, 589, 590.
QUEEN OF GREAT BRITAIN AND IRLAND, THE— 346.
QUEENSBERRY, EARLE OF— 5, 51, 92, 132, 267, 398, 572, 594.
Queinsferry, commiſſioner for— 19.
Quhitfoord, Walter, 521, 530.
Quhitſlaid, (Whitſlaid, Whytflaitt, Whytſleid, Witſlaitt), laird of— 29, 199, 302, 304, 596, 601, 605, 618, 623. V. Scott.
Quhytfoord. V. Quhitfoord.
Quhytlaw of that Ilk, ... 326.

Rae, (Raie, Ray, Rhae), lord, 104, 446, 554, 555, 559.
—— of Beircrofts, Mr Johne, 298.
—— of Coltinghous, colonel James, 177, 178, 298, 378, 561, 567, 576, 605.
—— James, 57, 140.
Rachan, laird of— 300. V. Geddes.
Rainſtoune, laird of— 303.
Raith (Reath, Raitt) of Edmiſtoun, James, (younger), 52.
—— of Halgrein, William, 55, 134, 212.
—— of Kincaufie, Andro, 135, 212.
Ralſtoun of that Ilk, ... 214, 300, 302.
——— —— —— William, 133, 212, 300, 375.
Ramme, Alexander, (commiſſioner for Montroſe), 134.
Ramſay, lord, (ſoune to the Earle of Dalhouſſie), 51, 131, 324, 594.
——— of Balmaine, David, (younger), 134, 212.
——— —— ——— Sir Gilbert, 28, 55, 138, 139, 153, 201, 212, 223.
——— of Balwaird, Alexander, 377.
——— of Bamff, ... 55, 134, 212, 377.
——— —— ——— Gilbert, 301.
——— of Denholme, (Benholme), Sir James, 300, 377.
——— of Fawſyde, Mr James, 299, 373.
——— of Jordanſtoun, (Jordieſtoun), Alexander, 301, 377.
——— of Whythill, ... 297.
——— of Wilſtoun, Mr William, (younger), 280.
——— colonel Alexander, (brother to Ramſay of Balmaine), 416.
——— Mr Andro, 66, 129.
——— Mr David, 376.
——— David, 377.
——— Sir James, 92,—general major, 99, 282.
——— Johne, 351.
Randefurde, laird of— 213. V. Monteith.
Randerſtoun, laird of— 213, 297.
Rankein, John, (in Slamannan), 298.
Rankell, laird of— 376.
Rankilour, laird of— 213, 376. V. Macgill.
Ranking, Walter, 574.
Raploch, laird of— goodman of— 132, 304, 416. V. Hammiltoun.
Ratray (Ratra) of Craighall, David, 301.
——— —— ——— Patrick, 28.
Ray. V. Rae.
Rea. V. Rae.
Read (Reed, Reid, Rid) of Craigheid, William, 28, 299. V. Rid.
Read of Newbigging, Alexander, 378.
—— of Pitlethie, Mr James, 28, 148, 153, 347, 375.
—— Andro, 310, 377.
—— Donald, 395.
—— James, (commiſſioner for Dunfermling), 4, 122, 134, 153, 213, 376, 589.
—— —— 297, 588.
—— John, (proveſt of Irwing), 84, 300, 375, 395.
Reate. V. Raith.
Redcaſtell, (Ridcaſtell), laird of— 296. V. MacKenzie.
Reddie, James, (ſkipper), 89.
Regiſter, the lord— clerk of Regiſter— 145, 231, 264, 297, 449, 471, 491, 518, 532, 557, 568, 576, 605, 606.
Reidhous, laird of— 521.
Renfrew, commiſſioner for— 73, 392.
——— heritouris of— 614.
Rentoun of Lamerton, (Lambertoun, Cambertoun), Johne, 53, 132, 278.
Reſtalrig, parſon of— 323.
Rhea. V. Rae.
Rhodes, M^r, 537.
Riccartoun, (Riccardtoun), laird of— 213, 277, 279, 296, 297, 388, 416, 490, 522, 618, 624. V. Craige, and Drummond.
Richard (Rithart) of Bulſkinen, Gilbert, 92.
——— Gilbert, (baily of Air), 375.
Richardſone, (Ritchertſone), Andro, (commiſſioner for Anſtruther weſter), 213.
——— James, 376, 621.
——— Johne, (commiſſioner for Bruntyland), 4.
——— Robert, 92, 132, 374.
——— Thomas, (ſcipper in Dyſart), 540.
Richeſone, (Ritchiſone), Andro, 376.
——— James, (commiſſioner for Pittenweyme), 297.
Riddell of that Ilk, Sir Walter, 29, 54, 133, 212, 300, 375, 618.
——— of Netherhartſide, Alexander, 299.
——— of Newhouſe, Andro, 375.
——— Walter, (portioner of Bewlie), 29, 301, 375.
——— ——— (in Langhauch), 212.
Rid, Sir James, 83. V. Read.
Ridhall, laird of— 539.
——— —— —— (younger), 297.
Ridpeth of Foulſchotleys, Mr Thomas, 299.
Rig of Athernie, (Ethernie), Williame, 4, 57, 130, 136.
—— of Carberrie, James, 52.
Rireſſe, laird of— 213, 287, 297. V. Forbes.
Ritchart. V. Richard.
Ritchie, Adam, (baillie of Ayr), 212, 300, 375.
ROBERT THE BRUCE, KING, 564, 601.
Robertland, laird of— 416.
Robertoun, laird of— 302. V. Gordoun.
——— of Bedlae, (Bedlaw), Mr James, 132,—juſtice depute, 247, 268, 279.
Robertſon of Downe, Alexander, 134, 278, 377.
——— of Eiſter Straeloch, Alexander, 377.
——— of Inſches, William, 303.
——— of Inuar, Jhone, 416.
——— of Littleton, Patrick, 377.
——— of Lude, Alexander, 301.
——— of Munturpie, David, 376.
——— David, (elder), 213.
——— ——— 297.
——— Mr James, (burges of Saint Andrews), 269, 319.
——— James, 213, 290, 297, 328.
——— John, 282.
——— Jonet, 525.
——— . . . . 557.
Robiſone, Mr John, 492.
Rochhead. V. Rucheid.
Rodger, William, 377.

Rogers, M^r, 530, 537.
Roiſeland, (Roiſland), laird of— 280, 302, 375.
Rollock of Bannockburne, Johne, 28, 53, 117, 135.
——— of Drummondſhall, John, 416.
——— of Duncrub, Sir Andrew, 299.
——— ——— ——— Sir James, (ſier), 211, 299, 301, 376, 567, 576, 605.
——— ——— ——— . . . . . (younger), 51.
——— of Pilltoun, Peter, 373.
——— Mr John, 135, 378, 379.
——— Peter, 586.
——— Thomas, (ſhiref depute), 211, 376, 378.
——— Sir William, 198.
Romano, laird of— 378. V. Murray.
Romarnie, laird of— 376.
Rome (Roome) of Irngray, (Ernegray), Thomas, 117, 214.
——— of Lincluden, Thomas, 379.
Ros, (Roſs), commiſſionars of— 530.
——— gentrie of— 560.
Roſe, (Ros, Roſs, Roſſe), lord, 213, 296, 300, 302, 312, 340, 352, 375, 426, 519.
——— ——— William, 433, 503.
——— of Aldie, John, 303, 378.
——— of Ballamukie, Walter, 503.
——— of Balnagowne, David, 55, 135.
——— of Balneill, (Bannell), James, 29, 53, 211, 485.
——— of Braidley, John, (younger), 378.
——— of Clava, (Clavach), Hugh, (ſiar), 300, 378.
——— ——— ——— Williame, 27, 55, 135, 300, 378.
——— of Daltullie, John, 300.
——— of Dreghorn, John, 300.
——— of Grunyeird, (Grinord), William, 378, 519.
——— of Holme, David, 300, 303.
——— of Inverchairrane, Walter, 303.
——— of Kilraoch, (Kilrawick, Kilrawich), Hugh, (Hew), 27, 55, 117, 119, 135, 266, 279, 296, 300, 303, 313, 326, 416.
——— of Kindroſſe, Walter, 27.
——— of Littletarcel, (Litle Turcel, Litle Torcel, Litlecarrel, Litle Tarrell), Hew, (Heugh), 56, 135, 279.
——— ——— ——— John, (younger), 378, 519.
——— of Markues, James, 303.
——— of Mureſtoun, Sir William, 133.
——— of Newke, James, 379.
——— of Newriſtoun, Sir William, 54.
——— of Pitcalnie, (Pitcamie), David, 303, 378.
——— of Pitcarie, ... 27.
——— of Pitfindreich, Mr John, 303.
——— of Preiſtihill, (Preiſthill), Thomas, 27, 503.
——— of Seatres, William, 379.
——— of Thornton, Robert, 53.
——— of . . . . . Williame, 28.
——— captain, 565.
——— Sir David, 282.
——— David, (in Earliſmylne), 299.
——— James, (ſhip-maſter), 21.
——— John, (proveſt of Nairn), 300, 328.
——— major, 534.
——— Patrick, 336, 365, 377, 422, 426, 445, 503, 538, 547, 589.
——— Williame, 518.
——— . . . . . 519.
Roſkene, laird of— 303. V. Innes.
Roſſie, (Roſſy, Roſoy), laird of— 213, 297, 376. V. Scott.
——— ——— ——— (younger), 297, 376.
Roſsland. V. Roiſeland.
Roſſyth, (Roſſayth), laird of— 73, 83, 134, 245.
Rothemay, laird of— 559, 561. V. Gordoun.
ROTHES, EARLE OF— 160, 296, 299, 328, 436, 442, 559, 561, 594, 596, 618, 623.
Rouch, James, (lieutenant colonel), 243.
Row, Mr James, 573.
——— Mr John, 492.
——— Mr William, (miniſter), 436.
——— William, (in Bandeth), 379.
Rowallane, laird of— 6, 29, 52, 73, 212, 375. V. Mure.
——— ——— ——— (younger), 212, 300, 375.
Rowan, John, 438, 601.
ROXBURGH, EARLE OF— 3, 6, 97, 131, 133, 279, 290, 296, 298, 301, 312, 328, 334, 542, 561, 567, 571, 575, 580, 585, 586, 595, 596, 601, 605, 606, 614, 618, 623.
——— ——— ——— Robert, (Privie Seall), 138, 139, 164, 176, 269, 370, 421, 422.
——— COUNTES OF— 606.
Roxburgh, commiſſioner for— 73, 392.
Roymanno, laird of— 416. V. Romano.
Rucheid (Ruchead, Ruched, Rochheid, Rochead, Roucheheid) of Caſtbe, John, 135.
——— of Craig of Inverleith, James, 373.
——— James, 213, 297, 426, 433, 441, 504, 601, 605, 618, 624.
Ruchlaw, laird of— 211, 279, 299. V. Sydſerffe.
Rudwell, laird of— 378.
Rume (Roome, Rome) of Skingray, (Ernegray, Irnegray), Thomas, 53, 117, 135, 214. V. Rome.
RUPERT, PRINCE, 99, 101, 105, 137.
Ruſſell of Kingſyde, James, 52, 132.
——— of Slipperfeild, William, (portioner), 300, 373.
——— Chriſtopher, (baily), 298, 378.
——— Francis, 459.
——— James, 278.
Rutherfurde of Bankend, John, (ſiar), 133, 212, 301, 375.
——— of Caphope, Johne, 29, 212, 301, 375. V. Rutherfurde of Keapok.
——— of Dalgerſtoun, John, (ſiar), 133.
——— of Edgerſtoun, (Aggerſtoun), Johne, 54, 212, 301, 375.
——— of Fairningtoun, George, 301.
——— of Hunthill, Andro, (younger), 301.
——— ——— ——— Johne, 54, 133.
——— of Keapok, (Kaiphope), Johne, 133. V. Rutherfurde of Caphope.
——— Johne, (commiſſioner for Jedburgh), 4, 19, 54, 57, 138, 140, 177, 178, 375, 595, 596, 618, 624.
——— Robert, (baily of Jedburgh), 301, 375.
——— ——— 375.
——— Mr Samuel, (rector of the Univerſity of Saint Andrews), 446, 475, 491.
RUTHLAND, (Rutland), EARLE OF— Johne, 24, 39.
Ruthven, laird of— 73, 278, 302, 377, 608, 609. V. Crichtoun.
——— of Cairne, (Gairne, Gairdene), Williame, 28, 55, 134, 211.
——— of Dunglas, William, 448.
——— of Frieland, Sir Thomas, 28, 51, 55, 57, 134, 222, 223, 250, 269, 301, 377, 399, 426, 427, 433, 434, 438, 503. V. Frieland.
——— Sir Francis, 582.
——— general, 419.
——— Sir Johne, (proveſt of Haddingtoun), 131, 160.
——— Patrick. V. FORTH, EARLE OF.
Ryland, laird of— 302. V. Stuart.
Rylick, laird of— 378.

SAINTANDREWS, ARCHBISHOP OF— 346.
Saint Andrews, commiſſioner for— 6, 13, 60, 61, 85, 94.
——— ——— parochiners of— 198.
Saint Aneſch, laird of— 375.
Saint Germanes, ... of— 373.
Saint Johnſtoun, governour of— 245.
——— ——— provoſt and baillies of— 359.
Saint Monance, laird of— 213.

Saltcoats, laird of— 279. V. Levingſtoun.
Samford, (Samphurd), laird of— 297. V. Nairn, Balfour, and Goldman.
Sandelandes (Sandilanes) of Crubſtoun, Mr Thomas, 303.
——— of Hilderſtoun, Mr William, 297, 426, 443, 503.
——— of Muriſdykis, (Murehous Diks), James, 297, 373, 378.
——— Mr Androw, 521.
——— Mr John, 299.
——— Mr Thomas, 492.
——— Mr William, (tutour of Calder), 52, 131, 279.
——— . . . . . (tutour of Calder), 52.
Sanders, Mr William, (miniſter at Bellie), 482.
Sanderſoun, Mr Bernard, (miniſter), 435.
——— James, 40.
Sandſyde, laird of— 328. V. Innes.
Sauchie, laird of— 134, 199, 304. V. Schaw.
Say, lord, 337.
Schairp of Howſtoun, ... 374. V. Sharp.
——— John, (baily of Cowpar), 376.
Schand, James, 21.
——— Johne, 22.
Schankiſtoun, laird of— 375.
Schaw (Shaw) of Dolquhirne, (Dochquhirne), James, 379.
——— of Greinocke, (Greenock), Johne, 4, 44, 45, 54, 57, 96, 133, 211, 426, 433, 503.
——— of Keirs, John, 133.
——— of Sauchie, Sir Alexander, 4, 24—26 *incl.* 28, 54, 117, 177, 178, 206, 211, 299.
Scheathin, laird of— 90.
Scheilhill, laird of— 377.
Schives. V. Sheves.
Schonar of Caſkieberrian, Mr James, 122.
Schort, (Short, Schoart), John, (provoſt of Stirling), 211, 231, 269, 272, 298, 378, 426, 504, 554, 567, 576, 588, 589, 605, 616, 621.
——— *William*, 440.
Scobell, Henry, 404, 406.
Scott of Ardroſſe, William, 54, 57, 134, 138, 140, 177, 178.
——— of Arkletoun, Walter, 298, 374.
——— of Bavelaw, (Beavelaw), Mr Laurence, 213, 277, 372.
——— of Bonytoun, Mr James, 131, 213, 277, 372.
——— of Borthwickbrae, Robert, 52, 132.
——— of Bowhill, (Browhill), Robert, 29, 52, 132, 213, 373.
——— of Braidhauche, Robert, 301, 375.
——— of Braidmeidow, (Braidmiddaes, Braidmedows), Andro, 52, 132, 373, 374.
——— —— ——— Robert, 213.
——— of Breidyards, (Breiryears), John, 212, 301, 375.
——— of Cartertoun, Francis, 29, 132, 213, 298, 374.
——— of Chappell, Walter, 301.
——— of Clerkingtoun, Lawrence, (younger), 277.
——— —— ——— Sir William, 28, 131, 213, 277, 363, 373, 375, 426, 433, 440,—Senator of the College of Juſtice, 449, 461, 503.
——— of Fewſcheillis, (Foulſcheils), Andro, 52, 132.
——— of Gallaſheillis, Hueh, 52, 132.
——— —— ——— James, 213, 373.
——— —— ——— Neill, 29.
——— of Gilmourſcleuch, (Gilmiliſcleuch), Johne, 52, 132, 302, 373.
——— of Gorronberrie, (Gottenberrie), John, 29, 54, 133, 301, 375.
——— of Goudilands, (Gandilands, Gaudilands), Walter, 29, 54, 133, 212, 301.
——— of Harden, (in Harden), Gideon, 133, 212, 301.
——— —— ——— Sir William, (commiſſioner for Selkirk), 4, 51, 52, 57, 96, 97, 131, 132, 138, 140, 177, 178, 201, 211, 213, 278, 299, 301, 373.
——— —— ——— (younger), 52, 213, 373.
——— of Hartwoodburn, colonel Walter, 213, 302, 389, 426, 503.
——— of Hartwoodmyres, Robert, 29, 96, 213, 373.
Scott of Heidſhaw, Johne, 29, 133.
——— —— ——— Johne, (younger), 374.
——— —— ——— William, (younger), 301, 373.
——— of Hundelſhoup, (Hundelſhope), John, 132, 300.
——— of Itſchaw, John, 54.
——— of Logie, James, 211, 302.
——— of Logie Montroſe, James, 265.
——— of Mangertoun in Newark, William, 52, 132, 213, 301, 373.
——— of Midleſſeid, Archibald, 213.
——— of Newpark, William, 29.
——— of Roſſie, Sir James, 91, 671.
——— of Scottiſtarvet, (Scottiſtarbet), Sir John, (knight), 164, 372, 465, 507.
——— of Sintoun, (Syntoun), Archibald, 435.
——— —— ——— Francis, 29, 52, 132, 213.
——— —— ——— William, 301, 302, 373.
——— of Tarbet, (Tarvet), Sir James, 213, 297.
——— of Thirlſtane, Patrick, 52, 132, 213, 373.
——— of Todrig (Todrick), Thomas, 52, 132, 213, 373.
——— of Tuſchelaw, (Tiſchalaw), Williame, 52, 132, 213, 373.
——— of Weſterhope, Robert, 301.
——— of Whitſled, (Whitſlaid, Whitſland), Robert, 4, 52.
——— —— ——— Walter, 132, 213, 301, 372, 373.
——— of Whythauch, James, 301.
——— captain Archibald, 389, 491, 522.
——— lieutenant colonel, 17, 91,—colonel, 345, 398, 490, 522, 586.
——— David, (brother to the Earl of Balcleugh), 301.
——— Gedeon, (in Harden), 54.
——— ——— 375.
——— Mr James, (clerk of Seſſion), 507.
——— James, (commiſſioner for Montroſe), 55.
——— John, (commiſſioner for Ruglen), 96, 132, 298.
——— ——— (goldſmith, burgeſs of Edinburgh), 269.
——— ——— 298, 594—596 *incl.* 618, 624.
——— Mr Laurence, 131, 440.
——— lieutenant, 489.
——— maſter, 338.
——— Mr Patrick, (liferenter of Glenbervie), 377.
——— Patrick, 277, 297.
——— Robert, (in Braidhaugh), 212.
——— Thomas, (commiſſioner for Selkirk), 4, 52, 73, 132, 213, 373.
——— ——— 302.
——— colonel Walter, 238, 243, 330, 373, 410.
——— Walter, (in Leſwaid), 373.
——— ——— 40.
——— Sir William, 73, 83—85 *incl.* 92, 93, 300,—clerk of Parliament, 351, 363, 375, 399, 449.
——— —— ——— (younger), 375.
Scotland of Dollorbeg, John, 376.
——— Thomas, (in Dollorbeg), 376.
Scottiſcraig, laird of— 6, 8, 13, 28, 61, 134, 213, 297—299 *incl.* 328, 336, 372, 374, 376, 389, 440, 445, 490, 491, 515, 516, 541, 548, 567, 568, 576—578 *incl.* 605. V. Erſkin.
Scottiſtarvet, (Scottiſtarbet), the lord, 97, 98, 296, 522, 541. V. Scott.
Scrimgeour (Scrumgeour, Scrumgoure) of Kirbſton, Johne, 55.
——— of Kirktoune, John, 134, 211, 302.
——— David, 439.
Sea of Clayſtrame, James, (younger), 379.
Seaforth, Earle of— 52, 79, 119, 313, 345, 346, 387, 389, 472, 559, 561, 564, 565.
——— ——— ——— George, 176, 178, 493, 498.
Seatoun, (Seytoun), lord, 242, 245.
——— laird of Eaſter— 377.
——— of Craigiehall, Sir Alexander, 297.
——— of Lafreis, Johne, (fiar), 54, 119, 134.
——— of Maninie, William, 303.
——— of Minnes, William, 303.
——— of Thorntoun, Alexander, 416.

Seatoun, Mr Alexander, (minister at Bamff), 23.
——— Mr George, 299.
——— Sir John, 245.
——— Robert, (baillie of Tranent), 52.
Selkirk, commissioner for— 73, 392.
——— shiref of— 267.
Selmes, (Selnis), laird of— 277, 297, 324, 606.
Sempill, (Semple), lord, 302.
——— lady, 614.
——— of Brigend, John, 375.
——— of Cathcart, Brice, 54, 117, 133, 160.
——— of Damock, (Dalmock), Johne, 53, 279, 298, 374.
——— of Foulwood, Williame, 4, 53, 96, 133.
——— of Stanyflet, John, 374, 508.
——— Andro, (commissioner for Renfrew), 84, 302, 328.
——— Johne, (commissioner for Dumbartan), 4, 53, 57, 73, 84, 96, 133, 138, 139, 148, 153, 177—179 *incl.* 269, 279, 433, 436, 473, 614.
——— ——— (in eistquarter of Glesfuird), 481.
——— Mr William, 287.
Session, President of— 461.
Seymour, Mr, 530, 537.
Seytoun. V. Seatoun.
Shambellie, laird of— 302. V. Stuart.
Shank, Henry, 4.
Sharp, (Shairp), doctor John, 236, 295. V. Schairp.
——— the relict of doctor John, 440, 518, 519, 540.
——— Mr George, (minister), 281.
——— major William, 244.
Shaw. V. Schaw.
Sheves (Schives, Scheives) of Muretoun, Thomas, 4, 303, 304.
——— Thomas, (shiref depute of Inverness), 394.
Short. V. Schort.
Sibbald of Kippis, Mr David, 297.
——— doctor, 443.
——— Mr James, (minister at Torrie), 473.
——— colonel William, 518.
Sibet, Mr James, 438.
Sidserf. V. Sydserffe.
Silvertounhill, laird of— 132, 298, 374, 416. V. Hammiltoun.
Simsone (Simpsone, Sympsón) of Vdoche, George, 378.
——— David, (commissioner for Dysert), 4, 55, 57, 134, 138, 140, 177, 178, 199, 213, 269, 595, 596, 618, 624.
——— Gilbert, 494.
——— Mr James, (minister), 563.
——— James, (dean of gild of Dundee), 57, 138, 139.
——— John, 257, 282.
——— Lilias, 521.
——— Mr Patrick, 265.
——— William, (commissioner for Dysart), 96, 213, 297, 426, 503, 542, 580, 591, 592, 601, 605.
Sincerf. V. Sydserffe.
Sinclar, (Saint Clair, Sincklar), lord— John, 3, 47, 57, 84, 86, 91—93 *incl.* 138, 140, 176, 178, 205, 248, 296, 314, 328, 528, 530, 537, 572.
——— of Affuri, (Affure, Afferie), Johne, 56, 136, 303, 379.
——— of Bowar, James, 303.
——— of Broum, James, 280.
——— of Bryme, John, 304.
——— of Brymnes, (Brimes), James, 27, 56, 136.
——— of Campstoun, Thomas, 56, 136, 379.
——— of Cannabie, (Cannisbie, Cannesbie, Canisbar), Sir James, 56, 136, 280, 303.
——— of Claffingall, (Glaffingall, Gleffingall), Henry, 134, 301, 399.
——— of Dun, David, 27.
——— of Dunbeth, (Dumbeth), Sir Johne, 56, 136, 280, 303, 378, 379, 433, 503, 534.
——— of Gyre, Edward, 27, 56, 136, 379.
——— of Hamer, John, 56, 136, 379.
Sinclair of Harmistoun, (Hirdmestoun, Hermistone), Sir John, (commissioner for Haddingtonshire), 52, 95, 176, 178. V. Hirdmestoun.
——— of Kelter, James, 56.
——— of Lathron, Alexander, 136.
——— of Longformagus, Mr Robert, 299.
——— of Lun, William, 280.
——— of Mey, William, (younger), 379.
——— of Murtill, (Murkill), Sir James, 27, 55, 136, 303.
——— of Ness, (Nesse), Edward, 56, 136, 379.
——— of Northfield, Francis, 280, 303, 304, 379.
——— of Rachlow, Alexander, 56.
——— of Ratter, (Ratler, Retler), James, 136.
——— ——— William, 280, 303.
——— of Saba, William, 56, 136, 379.
——— of Scrabster, Johne, 27.
——— of Stenison, (Steanson), Sir John, 211, 325.
——— of Tannachie, John, 303, 503.
——— of Toftkemp, James, 379.
——— of Tusbuster, Francis, 56, 136.
——— of Ulbister, Patrick, 280, 303.
——— of . . . . . David, 136.
——— of . . . . . Patrick, 136.
——— David, 56.
——— Francis, (uncle to the Earl of Caithnes), 296, 372, 561.
——— Mr Johne, 491.
——— Johne, 326.
——— Patrick, 56.
——— Williame, 299, 379, 518.
Sinnoues, laird of— 302. V. Kennedy.
Skeine (Skeene, Skene) of that Ilk, ... 55, 269, 303, 378, 394,
——— ——— ——— James, 55, 135, 214.
——— of Dyce, Gilbert, 135, 214, 378.
——— of Halyeards, Sir Andro, 28, 54, 122, 134.
——— ——— ——— *Mr Johne, 131, 277.*
——— of Rewmoir, Mr James, 377.
——— Mr Alexander, 492.
——— Mr Androw, 492.
——— Andro, 621.
——— Mr John, 213, 411.
Skelmurlie, laird of— 300, 375. V. Montgomery.
——— ——— ——— (younger), 300, 375.
——— ——— ——— (youngest), 300, 375.
Skerling. V. Skirling.
Skervene of Plewlandhill, James, 373.
Sketh, laird of— 303.
Skibo, laird of— 304. V. Gray.
Skinner, John, 302, 377.
——— Thomas, 4.
Skippon, major general, 338.
Skirling, laird of— 567, 576, 580, 586, 589, 595, 596, 605, 618, 623, 624, 626. V. Murray.
Skynnaird, Walter, 378.
Slamanno, parochiners of— 587.
Sleich, John, (commissioner for Haddingtoun), 73, 279, 373, 433.
Slowane, Johne, 85, 89.
Smetoun, laird of— 211, 277, 279, 297, 324, 373. V. Hepburne.
——— ——— ——— (younger), 373.
Smith (Smyth) of Bracco, Patrick, 27, 56, 136, 379.
——— of Grottell, Sir John, (commissioner for Edinburgh), 4, 5, 6, 19, 23, 24, 52, 57, 84, 93, 96, 112, 113, 115, 116, 131, 136, 148, 153, 177—179 *incl.* 199, 257, 277, 297, 373, 419, 426, 427, 432, 433, 473, 479, 502, 503, 510, 513, 514, 516, 522, 537, 538, 547, 548, 550, 551, 554, 555, 559, 563, 567, 576, 580, 585, 589, 595—597 *incl.* 605, 608, 609, 611, 616, 618, 624, 626.
——— Cuthbert, 257.
——— captain George, 384.
——— Mr Henry, 338.

Smith, Mr Johne, (minister of Edinburgh), 347, 491.
——— Patrick, 614.
——— Mr Robert, 297, 378.
Somerweill (Summervaille, Summervill, Simmervell) of Cambuf-nethan, James, 298.
——— of Drum, ... 213.
——— of Hiltoun, William, 373.
——— Gilbert, 568, 576, 605.
——— Sir James, 53, 132.
——— Johne, (commiſſioner for Renfrew), 4, 96.
Sornbeg, laird of— (younger), 375.
Southbar, laird of— 280, 302. V. Maxwell.
Southerland. V. Sutherland.
Southesk, Earle of— David, 3, 4, 6, 19, 176, 178, 184, 260, 280, 282, 300, 302, 320, 328, 415, 618, 623, 624.
Southhall, laird of— 491.
Southſide, laird of— 297, 373. V. Eleis.
Souttar of Mylnhauch, William, 301, 302.
——— of Wardintre, David, 302.
Spalding, Robert, 572.
Spence of Blair, Johne, 301.
——— of Kirktoune, James, 299.
——— of Lethalone, Thomas, 376.
——— of Rutherglen, David, 279.
——— of Tulloch, George, 377.
——— of Weſterkames, Ninian, 135, 379.
——— David, 4, 298, 328, 618.
——— Johne, 4.
Spencerfield, laird of— 277, 297, 376.
Spittell of Blairlogie, Alexander, 278.
——— of Leuchert, Alexander, 297.
Spottiſwood, captain John, 517.
——— Sir Robert, 104, 123, 205, 228.
Sprewell of Caſtelhill, Johne, 133.
——— Mr Johne, (clerk of Glaſgow), 374.
——— Johne, (commiſſioner for Renfrew), 54, 199, 214, 302, 375.
——— ——— (burgeſs of Paſſy), 375.
Spynie, lord, 234, 296, 302, 314, 403, 559, 561, 595, 596, 618.
——— lady, (mother of lord Spynie), 403.
——— heritors of— 366.
Stainly, laird of— 303.
Stair, laird of— 212, 300.
Stamford, Earle of— 290.
Stane, laird of— 375. V. Dickſone.
Stanebyres, laird of— 298. V. Weir.
Stanhows, laird of— 211, 298. V. Douglas.
Staniehill, laird of— 277, 297. V. Dobie.
Stanſtell, laird of— 304.
Stanypeth, laird of— 377. V. Douglas.
Stapilton, Bryan, 290.
Stapley, colonell, 338.
Steill, George, 278, 302, 328.
——— James, (in Breirihill), 213.
Steinſon, William, 297.
Steinſtoun, laird of— 299. V. Browne.
Stevenſon of that Ilk, James, 298. V. Steinſtoun.
——— John, 472, 540.
——— William, (commiſſioner for Pittinweime), 4, 328.
Stevin, John, 472.
Stevinſtoune, laird of— 279. V. Steinſtoun.
——— of Hermieſcheils, ... 373.
——— James, (myller at Drapmylne), 511.
Stewart. V. Stuart.
Stirling, (Sterling, Stirline), Earle of— 182.
Stirling of Ardoche, Archibald, (ſear), 278.
——— —— ——— Harie, (ſiar), 301, 416.
——— of Auchylle, (Achylle, Auchile), James, (younger), 55, 301, 379.
Stirling of Auchylle, William, 28, 134.
——— of Balderneock, (Balderneuche), James, 277, 298, 378.
——— of Balwill, James, 28, 134.
——— of Carden, Sir Archibald, 53, 279, 297.
——— of Couldache, (Cokdo), Archibald, 301, 376.
——— of Enbarnat, William, 133.
——— of Glorat, Mungo, 28, 135.
——— of Harbartſhyre, Johne, 28, 53, 299.
——— of Law, Andro, 53.
——— —— ——— William, 279, 374.
——— of Lime, Andrew, 133.
——— James, (chamberland of Mugdock), 383, 384.
——— Johne, (portioner of Byrena), 277.
——— captain Robert, 521.
——— commiſſioners for— 7, 73, 84, 392.
——— maſters of the hoſpital of— 612.
——— proveſt of— 612.
Stitchell, laird of— 373. V. Pringill.
Stobes, (Stobbes), laird of— 29, 109, 302, 435, 554, 555, 567, 576, 580, 595, 596, 605, 618, 623. V. Ellot.
——— ——— ——— (younger), 302, 392.
Strabogie. V. Strathbogy.
Strachan (Strauchane, Straughane, Straton) of Fettercairne, Mr James, 55, 134, 280. V. Stratoune.
——— of Glenkindie, Alexander, 28, 119, 135, 214.
——— —— ——— ——— (younger), 135.
——— of Hauch-head, John, 280.
——— of Inchſtuthill, Mr James, 301.
——— of Thornetoun, (lieutenant colonel), 243, 449, 522.
——— Mr Androw, 492.
——— lieutenant colonell Archibald, 449, 489, 522, 532,—colonel, 547, 558, 572, 586, 589, 595, 598, 600, 604.
——— Mr James, 564.
——— John, (tutor of Thornetoun), 55, 135, 300.
——— major, 398.
——— Mr William, 465.
——— . . . . . 314, 416.
Stragothro, heritors of— 593.
——— parochinaris of— 592.
Straloch, laird of— 91. V. Gordoun.
Strang, Alexander, 278, 302, 328, 618, 624.
——— George, 160.
Stranrawer, proveſt of— 302.
Strathbogy, heritors and tennents of— 592.
Strathurd, (Strathoord), laird of— 278, 608, 614, 618, 623. V. Nairne.
——— ——— ——— (younger), 416.
Stratoune (Stretoune, Stratton, Strayton) of Greinleyis, Andro, 135, 212. V. Strachan.
——— of Hill, Andro, 300.
——— of Kirkſide, Arthur, 135.
——— of Laureſton, Alexander, 55, 134, 212.
——— of Reidfurd, John, 377.
——— of Sindone, Arthur, 212, 300.
——— of Snatoun, Arthur, 135, 212.
——— Georgius, (notarius publicus), 324.
Strauchane. V. Strachan.
Stridling, Sir Harie, (governour of Carliſle), 68.
Strithmertene, laird of— 302.
Strowie, (Struy, Struie), laird of— 416. V. Fraſer, and Hay.
——— ——— ——— (younger), 378, 508.
STUART, (Stewart, Stewarde, Stuert, Stueart), CHARLES, (KING OF ENGLAND), 348.
Stuart of Ainnat, John, 301.
——— of Alantoun, Walter, 53, 279,—Sir Walter, 372, 374.
——— —— ——— . . . . (younger), 374.
——— of Ambriſmore, (Ambriſmoir, Aliſmore), John, 30, 135, 300, 379.
——— of Appin, Duncan, (younger), 507.
——— of Ardinho, John, 300.

Stuart of Ardrilmore. V. Stuart of Ambrilmore.
—— of Ardworliche, James, 55, 134, 183, 376.
—— of Aſkog, (Aſcok), Niniane, 30, 54, 135, 379.
—— —— —— . . . . . 44.
—— of Balcack, Mr Gilbert, 416.
—— of Balkail, Mr Gilbert, 134.
—— of Blairtoun, Walter, 303.
—— of Blakhall, Johne, (younger), 54, 133.
—— of Burch, (Burgh), Robert, 56, 136, 379.
—— of Caſtleſtewart, colonell William, 94, 214, 248, 372, 374, 379, 389.
—— of Coldinghame, John, 494, 502.
—— of Condargie, ... 302.
—— of Finnert, John, 416.
—— of Fintalloch, Archibald, 211.
—— of Gaſtoun, Thomas, 54, 133.
—— of Grantullie, (Garntullie), Sir Thomas, 134, 301, 399, 488.
—— of Grinſay, Harie, (Henry), 56, 136, 379.
—— of Inuermakhebell, (Invernahyle?), Alexander, 507.
—— of Invernytie, (Inuernethie), Sir William, 301, 416.
—— —— —— —— (younger), 416.
—— of Keippan, Walter, 416.
—— of Kergeiyean, Ninian, 300.
—— of Kilchattan, (Kilcatton), Niniane, 30, 54, 117, 135, 379.
—— —— —— —— —— (younger), 54.
—— of Kilquhindik, (Kilquhinlik), James, 135, 300, 379.
—— of Kirkfield, Sir James, (knight), 298, 320, 322, 336, —— proveſt of Edinburgh, —— treaſurer of the army, 360, 361, 372, 374, 397, 400, 402, 403, 415, 418, 420, 425, 426, 432—434 *incl.* 440, 441, 445, 446, 473, 486, 487, 490, 500—502 *incl.* 504, 522, 625.
—— of Kirkhill, Sir James, 53, 132, 297.
—— of Kirkton, Sir James, (commiſſioner for Bute), 30, 96, 300.
—— of Lime, Andrew, 133.
—— of Maynes, ... 56, 136, 379.
—— of Mecknok, Robert, 300.
—— of Monbleton, James, 377.
—— of Newtoune, Mr David, 299.
—— of Ordines, James, 28.
—— of Outlaw, Patrick, 303.
—— of Phiſgill, Alexander, (younger), 211.
—— of Ryland, Walter, 280.
—— of Schambelly, Johne, 29, 135, 214, 379.
—— Agnes, 511.
—— Alexander, 189, 449.
—— colonel, 551.
—— George, (baillie of Bamff), 303.
—— —— —— (advocate), 416.
—— Mr Gilbert, 322.
—— Mr Harry, 377.
—— Mr James, (indweller in Inverkeithing), 297.
—— James, 7, 25, 26, 213, 282.
—— —— —— (burges of Edinburgh), 11, 57, 94, 130, 136, 138, 139, 148, 153, 177, 178, 181, 183, 217, 219, 222, 260. V. Stuart of Kirkfield.
—— —— —— (tutor of Caſtlemilk), 298, 374, 375.
—— —— —— (treaſurer of Excile), 261, 269.
—— John, 420.
—— Sir William, 278.
—— major William, 300, 375, —— colonell, 447. V. Stewart of Caſtleſtewart.
—— William, 45, 516, 548.
Summer (Symer) of Balnakettle, Paul, 377.
—— of Balyhordie, George, 55, 134, 211.
Summerville. V. Somerweill.
SUTHERLAND, (Southerland), EARLE OF— Johne, (Lord Strathnaver), 3, 5, 19, 52, 57, 79, 95, 119, 138, 139, 176, 178, 269, 280, 282, 286, 296, 299, 313, 336, 361, 364, 372, 379, 389, 391, 392, 403, 417, 418, —— keeper of the Privy Seall, 421, 422, 425, 433, 438, 439, 448, 459, 473, 485, 489, 498, 503, 522, 533, 559, 561, 563, 567, 573, 575, 605.
Sutherland of Balveine, James, 302.
—— of Clyne, John, 299, 300, 378, 379.
—— of Ducheor, ... 135.
—— of Duffus, Sir Alexander, 27, 28, 55, 135, 269, 280, 282, 299, 533.
—— —— —— —— Alexander, 55.
—— of Forſe, James, (fiar), 27, 56, 136, 303.
—— of Kinſtarie, (Kilſtarie), Johne, 55, 135, 300, 378.
—— James, 282.
—— John, 281, 378.
Sutherlandhall, laird of— 302.
Suyne, (Swyne), lieutenant John, 468, 486.
Swan, Valenus, 521.
—— . . . . 530.
Swintoun (Swyntoune, Swinton, Suinton) of that Ilk, ... 211, 278, 299, 372, 373, 424, 433, 491, 518, 522.
—— —— —— —— Sir Alexander, (commiſſioner for Berwick), 53, 95, 132.
—— —— —— —— John, (younger), 211, 278, 299, 372, 373, 389, 426, 503, 598, 600.
—— Mr Robert, 373.
Sword, James, (commiſſioner for Saint Andrews), 8, 55, 57, 134, 138, 140, 177, 178, 336, 347, 376, 426, 433, 445, 485, 503, 542, 550, 567, 568, 576, 580, 595, 596, 605, 608, 609, 611, 616, 618, 624.
Swyne. V. Suyne.
Sydſerffe (Sidſerf, Sincerff) of Ruchlaw, Mr Archibald, 186, 326.
—— —— —— —— Mr James, 29, 52.
—— Archibald, (baillie of Edinburgh), 94, 138, 140, 177, 178, 223, 255, 269, 272, 319, 320, 328, 416, 595, 596, 601, 605, 618, 626.
—— Edward, 290.
Syme, James, 581.
Symer. V. Summer.
Sympſone. V. Simſone.

Taileour, (Taylyour, Talyeour), Allane, 617.
—— James, (bailye of Saint Andrews), 376.
—— Magnus, 56, 136, 379.
—— Robert, (commiſſioner for Saint Andrews), 4, 84, 93.
—— —— —— (burgeſs of Montroſe), 177, 178, 197.
Taillinge, (Teillinge, Teleinge), laird of— 199, 211, 278, 302, 377.
Tailyefair. V. Telfer.
Taite of Pirne, George, 300.
Tannadyce, parochineris of— 282.
Tarbet, laird of— 303. V. MacKenzie, and Scott.
—— —— —— (younger), 303.
Taylyour. V. Taileour.
Tayn, proveſt and baillies of— 200.
Techmuir, laird of— 303.
Teillinge. V. Taillinge.
Telfer (Tailyefair) of Haircleuch, James, 135, 379.
Tenent, Alexander, 84.
Teviotdaill, (Tevitdaill, Tivydaill), ſherriff of— 5, 94, 182, 296, 312, 521.
Theſaurar Depute, the lord, 160, 550, 568, 576, 605, 624.
Thirlſtane, laird of— 302. V. Scot.
Thomſone (Thomſoune) of Cheyne, James, 300.
—— of Dudingſtoun, Sir Thomas, 297, 324.
—— of Newmylns, William, 416.
—— of Smeidholem, Patrick, 298.
—— James, 467.
—— Patrick, 279, 595, 596.
—— Thomas, 492.
—— William, (commiſſer of the armie in Ireland), 23—26 *incl.* 65, 74, 80, 82, 86, 87, 93, 137, 179, 224, 279, 419.

Thornedykes, (Thornydik), laird of— 212, 278, 299. V. Browne.
Thornton, (Thornetoune, Thornitoun), laird of— 212, 300, 559, 561, 567, 576, 595, 596, 605, 618, 623. V. Roſe, Strachan, and Seatoun.
——— of Blackneſs, Alexander, 442.
——— —— ——— (younger), 442.
——— colonel, 560.
Thorpe, Mr ſerjant, 338.
Threipland, (Thripland), James, (in Biggar), 298.
——— Richard, 328.
Tiline, laird of— 372.
Tillequille, laird of— 300.
Tillibardan. V. Tullibardin.
Tillibody, (Tullibody), laird of— 328. V. Meldrum.
Tilliboll, (Tilliboill), laird of— 213, 297, 376. V. Halliday.
Tillieglaas, laird of— 403.
Tillier, general major, 105.
Tippermalloche, laird of— 377.
Tippertie, laird of— 90.
Tiſone, Johne, (of Dertmouth), 89.
Tiwydaill. V. Teviotdaill.
Tod, Sir John, (proveſt of Edinburgh), 328.
Todrig, laird of— 302. V. Scott.
Toftis, laird of— 199, 212, 231,—lord, 278, 299, 373, 542, 551, 559, 567, 576, 580, 592, 595, 596, 602, 605, 608—610 *incl.* 612, 614—616 *incl.* 618, 621, 623, 624. V. Belchis.
Tolcorſe. V. Towcorſe.
Tolquhone, laird of— 303, 378, 561. V. Forbes.
——— —— —— (younger), 559.
Tompſon, Peter, 376.
Torphichen, (Torfichen), lord— John, 277, 296, 297, 336, 347, 372, 374, 426, 427, 433, 567, 568, 576, 580, 605.
Torrarie, laird of— 157.
Torrens, laird of— 132. V. Hammiltoun.
Torſons, laird of— 277, 297. V. Hoppringle.
Torwodly, laird of— 302. V. Pringle.
Toſiok, Edward, (tutor of Abircairnie), 278.
Touche, laird of— 135.
——— Nehemiah, 74.
——— Robert, 521.
Tours, (Toures), major John, 243,— colonel, 575.
Towcorſe, (Tolcorſe), laird of— 298.
Traill of Holland, Mr Thomas, 56, 136, 379.
——— Mr Robert, (miniſter at Ellie), 347.
Traquair, Earl of— Johne, 8, 13, 95, 104, 183—187 *incl.* 235, 269, 278, 286, 290, 296, 300—302 *incl.* 314, 328, 351.
Trochrig, laird of— 375. V. Boyd.
Trogray, laird of— 302.
Trotter, laird of— 299.
——— of Dernechester, (Darnechester), Edward, 278, 299.
——— of Mortounhall, John, 297.
——— of Rowchester, Robert, 117.
——— Mr Alexander, (miniſter in Tweydmure), 450.
——— John, (in Fogorig), 299.
Troupe, laird of— 328. V. Lyon.
Trumble. V. Turnbull.
Tueidie (Tuedie) of Olipheer, Thomas, (younger), 373.
——— of Wrae, Williame, 52, 132, 300, 373.
——— Johne, 94.
——— Mr William, (miniſter at Stananno), 381.
——— William, 489.
Tullibardin, (Tullibardan, Tillibardin), Earle of— James, 176, 178, 200, 212, 219, 243, 266, 269, 296, 301, 302, 326, 313, 328, 415, 529, 560, 617, 618, 623, 626.
Tulliche, laird of— 302.
Tulloch of Tannachies, Thomas, 55, 135.
——— John, 300, 378.
Tullos, laird of— 303.
Turnbull (Turnebull, Trumble) of Gormyre, James, 374.
——— of Skedbus, (Skediſbus, Skaitbuſſe, Skaitſbus), Thomas, 279, 299, 326, 373, 410.
Tuſchelaw, laird of— 302. V. Scott.
Tweddale, Earle of— John, 296, 298, 300, 328, 372, 373, 503, 567, 576, 580, 605.
Tweddale, (Twedell, Twidell, Tuedle), laird of— 132.
Tweidie. V. Tueidie.
Tyler, Evan, 439.
Tyllen, laird of— 51.
Tynes, laird of— 375.
Tyrie, Alexander, (ſkipper), 574.

Uder, Mr. 530, 537. V. Ewar.
Udnie of that Ilk, Johne, 28, 177, 178.
——— laird of— 303, 328, 618, 623.
——— of Newplace, John, 303.
Udſtoun, laird of— 374. V. Ooodſtoun.
——— —— —— (younger), 374.
Unthank, laird of— 297, 376.
Urchartoun, laird of— 214. V. Orcheardtoune.
Ure of Shergartoun, James, 278.
—— of Shurlingtoun, James, 301.
Urquhart of Cromarty, Sir Thomas, 392. V. Cromartie.
——— of Dunlugus, ... 117. V. Dunlugus.
——— —— ——— Alexander, 377.
——— Mr James, (miniſter), 310, 438.

Vaine, Sir Harie, (knight), 24, 39, 50.
Vaitch. V. Veitch.
Vaſſie, Mr Thomas, (miniſter), 491.
Vaus of Barnbarroch, Johne, 53, 133. V. Barnbarroch.
Veir, J. 395.
Veitch of Dawick, Johne, (commiſſioner for Peiblesſhire), 4, 52,— Sir John, 92, 95, 132, 189, 300.
——— Patrick, 189.
Vene, colonel, 338.
Vryvine of Mucklye, ... 416.

Wadderburne. V. Wedderburne.
Waghton. V. Wauchtoun.
Walden, colonel, 188, 440.
WALES, PRINCE OF— 406.
Waliefeild, laird of— 399. V. Preſton.
Walker, (Waker), Sir Edward, 530, 537.
——— Kathrein, 572, 587, 588.
——— Peter, 213, 297, 376, 542, 595.
——— William, (commiſſioner for Dumferlin), 73, 542, 568, 576, 592, 605, 616.
Walkinſhaw, Mr John, 302.
——— ..... 375.
Wallace of Burnbank, William, 447.
——— of Craigie, ... 54, 447, 485, 486.
——— —— ——— Sir Hugh, 133, 472.
——— —— ——— Mr William, 393.
——— of Fail, William, 257.
——— of Failfurd, William, 375.
——— of Sewaltoun, Edward, 375.
——— captain, 99.
——— lieutenant colonel, 568.
——— James, 450, 462, 473.
——— Johne, 610, 621.
——— Robert, (baillie of Paiſlay), 54, 133.
——— Mr William, 257, 393.
——— William, (burges of Paiſlay), 469.
——— ..... (quartermaſter), 416.

Walſtoune, laird of— 298.
Walter, colonel, 338.
Walterſtoun, laird of— (younger), 375.
Wamfra, laird of— 132. V. Johnſtoun.
Ward, Job, 69.
Wardlaw of Pittreven, Sir Henry, 213, 297, 376.
——— James, 299.
Wariſtoun, laird of— 6, 8, 13,—the lord—King's advocate, 57, 60, 61, 68, 69, 71, 93, 94, 106, 231, 271, 277, 288, 290, 328, 336. V. Johnſtoun.
——— laird of. V. Kinkead.
Warrane, Thomas, 378.
Wartlaw. V. Wardlaw.
WARWICK, EARLE OF— 112.
Waterheid, laird of— 300, 375.
Waterſtoun, Patrick, (miniſter), 517.
Watertoun, laird of— 303, 378, 492. V. Forbes.
Watherburne. V. Wedderburne.
Watſoune, Alexander, (younger, burgeſs of Dundie), 574.
——— captain Andro, 11.
——— James, (proveſt of Saint Andrews), 297, 376.
——— William, (commiſſioner for Pittenweyme), 199.
Watt, Johne, (ſkipper), 447.
Wauchope (Wachob) of Niddrie, Sir Johne, (knight), 52, 57, 122, 138, 140, 177, 178, 213, 372, 433, 487.
——— Gedeon, 133, 212, 301, 375.
Wauchtoun, (Waghton), laird of— 6, 7, 51, 60, 61, 63, 69, 83—85 *incl.* 93, 94, 211, 279, 296, 299, 304, 312, 325, 372, 373, 389, 410, 491, 533, 601. V. Hepburne.
Wedderburne, (Watherburne, Wadderburne), laird of— 57, 199, 211, 278, 299, 340, 372, 373, 389, 392, 469, 491. V. Home.
——— ——— ——— (younger), 211, 372, 373.
——— of Blackeneſſe, Sir Alexander, 278.
——— of Kinginie, (Kingenie), Alexander, 211, 278.
——— Mr Alexander, 197, 199,—clerk of Dundie, 201, 211, 223, 269, 272, 299,—Sir Alexander, 319, 328, 416, 595, 596, 601, 605, 618, 624.
——— Mr Patrick, 574.
Wedderlie, laird of— 299.
——— ——— ——— (younger), 373.
WEEMES, (Weems, Weymes, Weemiſs), EARLE OF— 3, 5, 7, 69, 71, 73, 83, 95, 138, 139, 176, 301, 522, 537, 542, 551, 567, 576, 580, 605, 618, 621, 623.
——— ——— ——— Johne, 57, 178, 199, 206, 213, 222.
Weemes, (Weyme), laird of— 243, 281, 326, 564.
——— of Balfarg, Mr David, 257, 495.
——— of Bogey, Sir Johne, 28, 54, 134, 199, 219, 249,—general commiſſar, 250, 261, 269, 272, 315, 319, 320, 322, 328, 434.
——— of Fingaſk, James, 119, 347.
——— of Haltoun, Andro, 442.
——— lieutenant colonel David, 243.
——— David, (merchand in Dundie), 82, 574.
——— Mr George, (Principal of Saint Leonard's College), 475.
——— colonel James, (general of artillerie), 291, 475, 479, 480, 486, 498.
——— Patrick, (baily of Bamff), 377.
——— Williame, 302.
Weiklands, laird of— 302.
Weir (Weere) of Blaikwode, George, 29, 53.
——— of Cloburne, John, 374.
——— of Harwood, George, 214, 298, 374.
——— of Newtoun, John, (younger), 374.
——— of Stainbyres, Sir William, 279.
——— Mr John, 491.
——— Marion, 446.
——— major Thomas, 438, 440, 526.
——— Sir William, 132.
Weitch. V. Veitch.
Weitlands, laird of— 375.
Welch of Colliſtoun, John, 280, 374.
Welden, M^r, 7, 13.
Welſton, laird of— 132. V. Baillie, and Hammiltoun.
Wencheſter, Alexander, (baylie of Bamff), 212. V. Wincheſter.
Wentworth, Thomas lord, 530, 537, 563.
Weſtniſbet, laird of— 282, 327, 439.
Weſtquarter, (Waſtquarter), laird of— 92, 132, 304, 416, 518. V. Levingſtoun.
Weymes. V. Weemes.
White (Whyte, Whytt, Quhyte) of Markill, ... 299, 567.
——— -- ——— William, 373.
——— Adam, 68.
——— John, (commiſſioner for Kirkcaldie), 297, 376.
——— Robert, (burgeſs of Kirkcaldie), 213, 269.
——— ——— 199, 282, 283, 542, 567, 576, 580, 605, 618, 624
——— William, 325.
Whitefurd of Balloche, John, 133. V. Ballo.
——— of . . . . Adam, 133, 212, 300, 375.
Whitelock, M^r, 338.
Whithorne, proveſt of— 302.
Whitlaw of that Ilk, Patrick, 131, 211, 279, 299.
Whitſlaid. V. Quhitſlaid.
Whyte. V. White.
Whythead of Park, Mr James, 214, 297, 374.
Wickitſhaw, the goodman of— 132. V. Lockhart.
Widdrington, Sir Thomas, 338.
Wig, laird of— 302. V. Agnew.
WIGTOUN, EARLE OF— 3, 265, 300, 448, 566, 567, 617, 618, 623.
Wigtoun, commiſſar clerk of— 205.
——— commiſſioner for— 73, 444.
——— proveſt of— 302.
——— ſhiref of— 302.
——— ——— ——— (younger), 302.
Wilkie of Dolphingſtoun, David, 299, 373.
——— of Foulden, Johne, (ſiar), 53, 132.
——— of Halrawmure, Mr Archibald, 300.
——— David, 568, 576, 580, 595, 596, 605, 618, 624.
——— Gilian, 465, 557.
——— Sir John, 373, 374.
——— Mr Robert, 465.
Wilkieſone, (Wilkinſone), Alexander, (commiſſioner for Lauder), 4, 73, 96, 212, 299, 328, 431, 472.
——— Francis, (commiſſar clerk of Lauder), 472.
Williamſone, David, 465.
——— James, (commiſſioner for Peebles), 4, 96, 132.
——— Johne, (commiſſioner for Peebles), 52.
——— ——— (commiſſioner for Kirkcaldie), 4, 73, 84, 93, 228, 433.
——— Margaret, 449, 479.
Williamſtoun, laird of— 212.
Wilmot, (Wolmett), lord, 530, 537, 551.
Wilſone (Wilſoune) of Brakanehillis, Robert, 55, 135, 212, 303.
——— of Crogleme, (Croglenie), John, 52, 132, 213, 298, 373.
——— of Greinhill, (in Greinhill), Mathew, 29, 132, 213, 298, 374.
——— of Land, William, 373.
——— alderman, 338.
——— James, 582.
——— Johne, 610.
Wincheſter (Wencheſter) of Polduff, James, 572.
——— Alexander, (baillie of Bamff), 212, 303, 377.
Winrahame (Winrame, Wynrahame) of Curriehill, James, 277, 324.
——— of Libbertoun, Mr George, 4, 52, 57, 122, 138, 140, 177, 178, 213, 372, 426, 432—434 *incl.* 451, 452, 504,—Senator of the College of Juſtice, 505,—lord Libbertoun, 506, 513, 514, 538.
——— of Wolſtoun, (Wiſtoun, Wouſtoun), James, 29, 214, 298.

Wintoun, Earle of— 131, 211, 279, 296—298 *incl.* 314, 328,
Wiſhart of Arduthie, James, 300.
Wiſtoun, the Baron of— 132.
——— laird of— 481. V. Winrahame.
——— ——— ——— (younger), 481.
Withrington, lord, 530, 537, 566, 567.
Wogan, captain, 295, 318.
Wolmett. V. Wilmot.
Woode of Balbegno, ... 55. V. Balbegno.
——— of Craigneſtoun, Alexander, 300.
——— of Nether Benholme, Mr Alexander, 212, 300. V. Benholme.
——— of Newmilnes, George, 29, 299.
——— George, (commiſſioner for Forfar), 279, 326, 377, 559.
——— Mr James, (miniſter), 431, 475, 491.
——— James, (bailye of Saintandrews), 376, 572.
——— Patrick, 485.
Woodend, laird of— 212. V. Murray.
Woodhall, laird of— 277, 296, 374. V. Hammiltoun.
——— ——— ——— (younger), 132, 298.
Woodheid, laird of— 211, 299. V. Pringle, and Lennox.
——— ——— ——— (younger), 298, 299.
Woodmylne, laird of— 297, 376.
——— ——— ——— (younger), 376.
Wray, (Wrae), colonel, 318.
——— James, (burges of Edinburgh), 138, 278.
Wright, (Wricht), James, 507.
——— Williame, 63.
——— Mr, 594, 595.
Wylie, Mr Thomas, (miniſter of Mauchline), 336.
Wynrahame. V. Winrahame.

Yeſter, lord— John, 3, 5, 51, 57, 60, 61, 63, 69, 73, 83, 85, 94, 95, 131, 132, 138, 139, 160, 176, 178, 199, 211, 269, 278, 279, 286, 298, 300, 302, 312, 561, 580, 594.
——— maſter of— 278.
York, (Yeork), Duik of— 566, 567, 593.
Young of Killiecantie, Patrick, 374.
——— of Seaton, Patrick, (Peter), 28, 55, 134, 211, 279, 302, 582.
——— David, 376.
——— Mr John, 492.
——— Patrick, (baillie of Haddingtoun), 84, 464.
——— Mr Robert, 578.
Ythane, (Ytham), lord, 104, 140, 143, 150, 606. V. King, Mr James.

INDEX OF PLACES.

ABERBROTHOCK. V. Arbroth.
Aberdeen, (Aberdeane, Abirdene), burgh of— 4, 6, 19, 21, 30, 73, 87, 91, 97, 105, 171, 199, 200, 205, 207, 213, 214, 242, 251, 252, 281, 285, 313, 315, 316, 361, 394, 402, 424, 438, 468, 491, 500, 520, 531, 533, 537, 562, 568, 579, 580, 602, 609, 617.
——— hoſpital of— 502.
——— ſhire of— 4, 28, 30, 35, 36, 52, 55, 79, 96, 117, 119, 135, 137, 149, 170, 176, 199, 205, 206, 214, 222, 228, 232, 233, 246, 249, 251, 252, 257, 281, 296, 303, 304, 313—316 *incl.* 322, 360, 372, 378, 385, 387—389 *incl.* 392, 394, 396, 402, 417, 424, 439, 468, 487, 488, 490, 498—500 *incl.* 530, 533, 539, 551, 553, 555, 556, 558, 559, 561, 573, 581.
——— univerſity of— 129, 130, 188, 205, 288, 491, 491.
Abernethy, burgh of— 233.
Aboyne, houſe of— 129.
Achindaik, lands of— 487.
Air, burgh of— 4, 9, 30, 73, 96, 124, 148, 171, 199, 207, 251, 315, 323, 361, 402, 426, 500, 501, 503.
—— parish of— 471.
—— ſhire of— 4, 29, 30, 35, 36, 52, 54, 73, 83, 86, 87, 93, 96, 117, 133, 137, 149, 170, 191, 194, 199, 207, 212, 217, 249, 251, 257, 279, 296, 300, 304, 312, 314, 315, 346, 360, 372, 375, 387—389 *incl.* 392, 402, 441, 471, 486, 490, 497—501 *incl.* 533, 534, 554, 594, 615, 621, 622.
Airth, parochе of— 625.
——— place of— 625.
Alloway, 624.
Angiers, 521.
Angus, (Angows), ſherriffdome of— 211, 278, 326, 443, 498, 522, 551.
Annand, burgh of— 4, 96, 171, 207, 251, 298, 315, 361, 402, 500.
Annandaill, (Annerdaill), ſhire of— 51, 117, 498.
——— ſtewartry of— 35, 36, 52, 132, 137, 213, 217, 373.
Anſtruther, town of— 465, 479, 596, 597.
Anſtruther eiſter, burgh of— 4, 73, 96, 171, 199, 207, 213, 246, 251, 297, 315, 361, 376, 385, 402, 468, 473, 500, 501.
——— weſter, burgh of— 4, 96, 171, 199, 207, 213, 247, 251, 297, 315, 361, 376, 402, 500, 501, 550.
Appleby, town of— 356.
Araſet, (Arafcet, Arſcet), country of— 51, 296, 372.
Arbroth, (Aberbrothok, Aberbrothe), burgh of— town of— 4, 73, 91, 96, 138, 144, 171, 199, 207, 211, 251, 315, 361, 366, 402, 408, 490, 500, 501.
Arderſeir, lands of— 484.
Ardgour, lands of— 403, 500.
Argiers, 257.
Argyll, ſhirrefdome of— 4, 30, 35, 36, 51, 54, 88, 95, 117, 134, 149, 170, 199, 207, 208, 248, 251, 252, 296, 303, 304, 313, 315, 316, 360, 361, 372, 375, 389, 402, 403, 464, 483, 499—501 *incl.* 533, 559, 561, 562.
Arran, Ile of— 316.
Arſcet. V. Araſet.
Athole, blair of— 253, 255, 317, 326.
——— country of— 459.
Auchincloich, lands and barony of— 383.
Auchindor, craig of— 120.
Auchindoun, houſe of— 120, 608.
Auchinhowy, hous of— 608.
——— *lands and barony of— 383.*
Auchterardour, preſbytery of— 117.
Auchtermerny, lands of— 552.
Auchterſtruther, baronie of— 286.

Badyenoche, country of— 313, 559, 561.
Bakeſſo, lands of— 442.
Balcantrie, lands of— 484.
Ballendalloch, houſe of— 572.
Bamff, burgh of— town of— 4, 6, 19, 30, 87, 96, 171, 207, 251, 252, 281—285 *incl.* 303, 313, 315, 316, 361, 402, 426, 431, 500, 501, 503.
——— ſhire of— 4, 28, 30, 35, 36, 52, 55, 117, 119, 135, 170, 176, 199, 206, 212, 222, 232, 233, 249, 251, 252, 257, 280, 283—285 *incl.* 296, 302, 304, 313—316 *incl.* 323, 360, 372, 377, 387—389 *incl.* 402, 417, 424, 439, 481, 488—490 *incl.* 498—501 *incl.* 533, 539, 558, 559, 561, 562.
Bantoun, lands of— 625.
Barehoyis, lands of— 94.
Bargalie, (Bargaly), lands of— 94.
Bargatoun, ſtewartry of Galloway and— 391.
Barneboill, place of— 403, 500.
Barwick. V. Berwick.
Baſſindean, kirk of— 398.
Belfaſt, town of— 227.
Berwick, (Barwick), town of— city of— 64, 69, 106, 107, 112, 113, 243, 299, 318, 343, 345, 466, 501, 503, 525.
——— ſhire of— 4, 29, 30, 35, 36, 51, 52, 79, 83, 95, 117, 132, 137, 149, 170, 187, 190, 191, 194, 196, 199, 207, 211, 225, 246, 249, 251, 257, 265, 278, 296, 299, 304, 310, 312, 314, 315, 340, 360, 365, 372, 373, 387—389 *incl.* 392, 402, 466, 488, 499, 491, 498—501 *incl.* 533, 539, 594.

Biggar, preſbyterie of— 371.
Blacklunance, parochin of— 588, 589.
Blackneſſe, caſtle of— 585.
——— parochin of— 585.
Blair. V. Athole.
Blair, caſtle of— 245, 522.
——— lands of over and nether— 411.
Blairſtowie, lands of— 573.
Boig (Boog) of Geicht, houſe of— 326, 522. V. Geight.
Boighall, houſe of— 351.
Bonntoun, mylne of— 608.
Borrowbridge, 105.
Borrowſtounnes, kirk of— 414.
——— town and village of— 414.
Bothwell, bridge of— 281.
——— parochin of— 283.
Braand, (Braan, Brahan), caſtle of— 489, 490, 493, 494, 509, 522, 560.
Breda, 513, 577, 625, 626.
Brichen, (Brechin), burgh of— town of— 4, 84, 96, 127, 128, 171, 199, 207, 211, 241, 251, 252, 278, 281, 282, 313, 315, 316, 361, 364, 402, 403, 464, 468, 500, 501.
——— preſbytery of— 211, 265.
Brighouſeknow, market-place of— 98.
Briſtoll, town of— 117.
Brodie, lands of— 287.
Brodwill, lands of— 442.
Brughtoun, 318.
Bruntyland, burgh of— 4, 54, 84, 89, 93, 96, 138, 171, 199, 207, 213, 246, 251, 297, 315, 361, 376, 402, 426, 500, 501, 505, 581, 582, 584, 593, 598, 610, 612, 614.
Buckie, houſe of— 120.
Buquhannan, (Buchannan), houſe of— 384, 572.
Burdeaux, town of— 89.
Bute, (Boote), ſhire of— 4, 30, 35, 36, 52, 54, 96, 117, 135, 149, 199, 207, 251, 252, 296, 300, 304, 313, 315, 316, 360, 361, 372, 379, 389, 402, 403, 490, 497, 497—501 *incl.* 533, 559, 561, 562, 582, 584.

Cabrach, country of— 592, 593.
Caddell, houſe of— 489.
Cairnburrowe, houſe of— 120.
Caitneſs, (Caithneſſe, Cathnes), ſhirrefdome of— 27, 30, 35, 36, 52, 56, 79, 96, 119, 136, 149, 157, 170, 199, 206, 222, 251, 257, 280, 296, 303, 304, 313, 314, 360, 372, 379, 387—389 *incl.* 402, 439, 489, 498—503 *incl.* 533, 559, 561, 562.
Calder, weſt kirk of— 264.
Cambuſkenneth, 564.
Cameron, kirk of— 365.
Campheir, (in Holland), 19, 118, 610.
Campſie, pariſh of— 459.
Canongait (Cannigait) of Edinburgh, burgh of— 51, 151, 173, 253, 295, 317, 318, 419, 420, 468, 516, 597, 600.
Canonmylnes, (near Edinburgh), 318.
Caraill. V. Craill.
Cardroſe, parochin of— 588.
Carfearn, kirk of— 187.
Carict, (Carrick), country of— 52, 117, 133.
Carictfergus, (Carrickfergus), caſtle and town of— 15, 16, 20, 25, 26, 80, 124, 125.
Carie, lands of— 442.
Carlile, caſtle of— 224, 343, 466.
——— town of— 225, 318, 345, 356.
Carntie, lands of— 484.
Carnwath, place of— 87.
Carraill. V. Craill.
Cathcart, parochin of— 511.
Cathnes. V. Caitneſs.
Chanrie, (chanourie of Roſs), 395, 489, 490, 493, 494.
——— kirk of— 395.
Clackmannan, ſhire of— 4, 28, 30, 35, 36, 54, 83, 95, 117, 134, 137, 149, 170, 190, 199, 207, 211, 249, 251, 257, 296, 299, 304, 313—315 *incl.* 360, 372, 376, 387—389 *incl.* 392, 402, 485, 486, 490, 497—501 *incl.* 506, 533, 558, 559, 561, 572, 609.
——— town of— 30.
Cliddiſdaill, 89.
——— nether ward of— 117.
——— over ward of— 117.
Clyde, water of— 439.
Cole, Ile of— 403, 500.
Collein. V. Cullane.
Colrayne, caſtle of— 124, 125.
Cordine, lands of— 442.
Cottoun of eaſter Fordell, 573.
Coupar, burgh of— 4, 30, 54, 73, 84, 88, 91, 96, 171, 199, 207, 213, 246, 251, 315, 361, 376, 402, 426, 436, 500, 501, 503.
——— preſbytery of— 117, 297, 376.
Coventgarden, 362.
Craigbarnet, place of— 625.
Craighouſe, (in Roſs), houſe of— 120.
Craill, (Carail), burgh of— town of— 4, 73, 84, 96, 171, 207, 213, 247, 251, 297, 315, 361, 376, 402, 436, 465, 468, 500, 501, 596, 597.
Cramond, pariſh of— 464.
Crathie, kirk of— 491.
Crocekirklands, lands and barony of— 507.
Cromartie, ſhirrefdome of— 27, 30, 35, 52, 117, 119, 149, 170, 206, 222, 251, 257, 296, 303, 315, 360, 372, 402, 498—501 *incl.* 533, 561, 562.
Cuiltcalloch, lands of— 573.
Cullane, (Collein, Cullein, Culloun, Cullen), burgh of— town of— 96, 171, 207, 251, 252, 267, 281, 313, 315, 316, 361, 402, 404, 431, 468, 500, 501.
Culroſe, (Culroſſe), abbacy of— 273.
——— burgh of— 4, 73, 96, 171, 207, 247, 251, 267, 301, 313, 315, 361, 376, 402, 408, 500, 501, 594, 595, 615.
——— lands of— 273.
——— parochin of— 448.
Cunninghame, ſtewartry of— 117, 133, 522.
Currie, parochin of— 72.
Cuthilheid, town and lands of— 411.

Dalgernos, lands of waſter— 573.
Dalkeith, preſbytery of— 117.
Dee, river of— water of— 101, 246, 252, 379.
Deny, parochin of— 548.
Derbyhouſe, 348, 404.
Dertmouth, town of— 89.
Dingwall, (Dingwell), burgh of— 251, 315, 361, 402, 500, 501.
Dollas, pariſh of— 403.
Dolor, (Doller), pariſh of— 233, 286, 472.
Doncaſter, town of— 145.
Donypace, baronie of— 286.
——— parochin of— 548, 549.
Dornoche, burgh of— town of— 96, 251, 252, 265, 281, 315, 361, 402, 489, 500, 501.
Dowart, caſtle of— 345, 522.
Drum, tower of— 120.
Drumdola, lands of— 539.
Drumfreis. V. Dumfreis.
Drumire, pariſh of— 381.

Drymmin, houſe of— 120.
Dumbar, (Dunbar), burgh of— town of— 4, 73, 84, 96, 138, 171, 207, 247, 251, 258, 279, 299, 315, 361, 373, 402, 490, 499—501 *incl.*
Dumbartan, burgh of— town of— 4, 6, 30, 73, 84, 95, 96, 171, 199, 200, 207, 242, 251, 252, 258, 298, 313, 315, 316, 361, 402, 426, 490, 491, 500, 501, 503, 508, 550, 603.
——— caſtle of— 85, 323, 490, 508, 532, 562, 598, 599, 603.
——— pariſh of— 462.
——— ſhire of— 4, 19, 30, 35, 36, 51, 53, 95, 133, 149, 170, 191, 195, 199, 207, 251—253 *incl.* 257, 279, 296, 298, 304, 313—315 *incl.* 360, 372, 374, 387—389 *incl.* 402, 462, 490, 491, 497—501 *incl.* 522, 533, 534, 559, 561, 562, 621, 622.
Dumblane, (Dumblain), burgh of— 376.
——— preſbytery of— 117, 376.
Dumfermline, (Dunfermling, Drumfermling), burgh of— town of— 4, 54, 73, 96, 171, 207, 213, 246, 251, 272, 297, 315, 361, 376, 402, 500, 501, 551, 596, 597, 611.
——— preſbytery of— 117, 297, 492.
Dumfries, (Dunfreis, Drumfreis), bridgend of— 302.
——— burgh of— 4, 29, 30, 86, 87, 96, 127, 128, 171, 207, 251, 287, 298, 315, 361, 402, 426, 435, 500, 501, 503, 518, 531.
——— ſhire of— 4, 29, 30, 35, 36, 51—53 *incl.* 73, 93, 95, 117, 132, 137, 149, 170, 191, 194, 199, 207, 213, 217, 247, 249, 251, 257, 279, 296, 298, 304, 312, 314, 315, 360, 372, 373, 387—389 *incl.* 392, 402, 435, 491, 498, 500, 501, 533, 538.
Dunce, (Dunſe, Duns), preſbiterie of— 435.
——— town of— 30, 510.
Dundaff, land and baronie of— 383.
Dundie, (Dundee, Dundy), burgh of— 4, 55, 73, 84, 91, 93, 96, 171, 192, 197, 199, 200, 205, 207, 211, 251, 253, 278, 282, 315, 361, 381, 402, 426, 436, 439, 480, 490, 500, 501, 503, 534, 537, 579, 580, 583, 587, 588, 601, 604, 614, 621.
——— kirk of— 574.
——— preſbitery of— 211.
Dunfermling. V. Dumfermline.
Dungwald, 52.
Dunkeld, burgh of— 281, 377.
——— kirk of little— 377.
——— preſbytery of— 117, 377.
Dunkirk, 7—9 *incl.* 11, 12, 19, 21.
Dunnoter, 288, 625.
Dunſcoir, kirk of— 249, 439.
Dunſe. V. Dunce.
Dunſtaffnage, 253.
Duntreath, place of— 625.
Durie, coalheugh of— 122.
Dyſert, burgh of— 4, 55, 84, 171, 199, 207, 213, 246, 251, 297, 315, 361, 426, 500, 501, 503, 540.
——— parochin of— 572.

Eckils, parochin of— 435.
Edinburgh, *paſſim*.
——— biſhoprick of— 158, 159.
——— burgh of— town of— 4, 6, 19, 30, 32, 51, 73, 77, 84, 93, 96, 98, 111, 127, 128, 130, 137, 144, 151, 158—160 *incl.* 171, 172, 198, 199, 205, 207, 242, 245, 249, 251, 253, 255, 288, 285, 295, 296, 315, 318, 339, 344, 361, 396, 402, 408, 410, 426, 441, 460, 468, 491, 493, 494, 500, 501, 503, 516, 517, 531, 534, 539, 540, 551, 600.
Edinburgh, caſtle of— 145, 184, 255, 424, 440, 449, 479, 481, 522, 523, 528, 531, 532, 539, 540, 550, 581, 582, 598, 599.
——— preſbytery of— 117.
——— ſhire of— 4, 28, 30, 32, 35, 36, 47, 51, 52, 71, 83, 93, 95, 122, 131, 137, 149, 158, 170, 190, 191, 194, 199, 207, 213, 247, 249, 251, 257, 277, 284, 296, 304, 312, 314, 315, 318, 360, 372, 387, 388, 393, 402, 484, 490, 497—501 *incl.* 523, 533, 540, 543, 594, 597, 599, 603, 621, 622, 625.
——— univerſity of— 129, 130, 491.
——— wardhouſe of— 459.
Edyell, lands of— 441.
Einyie, (Einzie), country of— 467, 592, 593.
Eiſtquarter of Glesſuird, 481.
Elgin, burgh of— 4, 30, 51, 52, 81, 91, 96, 171, 188, 281, 315, 316, 361, 385, 402, 403, 426, 428, 468, 489—501 *incl.* 503.
——— preſbyterie of— 417.
——— ſhirrefdome of— 4, 28, 30, 35, 36, 52, 55, 79, 95, 119, 135, 170, 206—208 *incl.* 251, 252, 257, 296, 299, 304, 313—316 *incl.* 323, 360, 372, 378, 387—389 *incl.* 396, 402, 403, 417, 483, 484, 489, 498—501 *incl.* 533, 561, 573.
Ellendonald, houſe of— 522, 560.
England, borders of— 48.
——— kingdom of— 14—592 *ſepius*.
Enterkin, lands of— 540.
Enzie. V. Einyie.
Erliſmill, 403.
Eſdaill, fyve kirks of— 594, 595.

Falkirk, parochin of— 548, 549, 588.
——— town of— 512.
Fetteresſo, 594.
Finnert, lands of— 45.
Fintrey, paroche of— 625.
Fluſhing, town of— 506.
Fofartie, lands of— 442.
Fordell, lands of eaſter— 573.
——— milne of eaſter— 573.
Forfar, burgh of— 4, 30, 54, 96, 171, 207, 211, 251, 252, 278, 315, 316, 361, 366, 402, 490, 500, 501.
——— preſbytery of— 211.
——— ſhirrefdome of— 5, 28, 30, 35, 36, 51, 55, 96, 117, 134, 137, 149, 170, 199, 205, 222, 249, 251, 252, 257, 278, 296, 302, 304, 313—316 *incl.* 360, 372, 377, 387—389 *incl.* 392, 402, 467, 468, 490, 498—500 *incl.* 533, 543, 558, 559, 561, 562, 572, 587, 588.
Forge, parochin of— 539.
Forres, burgh of— 4, 96, 171, 207, 251, 281, 299, 313, 316, 323, 361, 366, 402, 403, 468, 489, 500, 501.
——— preſbyterie of— 417.
——— and Elgin, ſhirrefdome of— 119, 252, 315, 403.
Forreſt, Ettrick, 4, 213.
Forth, water of— 121, 122, 161, 519, 530, 549, 581, 595.
France, 345.
Fyffe, ſhirrefdome of— 4, 28, 30, 35, 36, 51, 54, 83, 93, 95, 117, 134, 137, 149, 170, 191, 194, 195, 199, 206, 213, 246, 249, 251, 257, 277, 296, 297, 304, 313—315 *incl.* 323, 343, 360, 372, 376, 387—389 *incl.* 323, 360, 372, 376, 387—389 *incl.* 402, 421, 468, 486, 490, 498—501 *incl.* 516, 522, 533, 551, 558, 559, 561, 567, 568, 572, 573, 577, 587, 603, 606, 609, 610, 621, 622.
Fyndowrie, houſe of— 443.

Gairtlly, kirk of— 608.
Galloway, burgh of New— 96, 171, 251, 315, 361, 500.

Galloway, ſhire of— ſtewartry of— 4, 166, 208, 217, 346, 389, 391, 402, 501, 523, 594.
Gargunnock, place of— 625.
Garioch, chappell of— 21.
Gartlie, (Gartlay), country of— 592, 593.
Geight, boig of— houſe of— 120, 492. V. Boig.
Germanie, 19.
Glaſgow, barrosie of— 408.
——— burgh of— town of— 4, 6, 88, 94, 96, 127—130 *incl.* 143, 171, 199, 200, 205, 207, 224, 236, 246, 247, 251, 315, 323, 334, 343, 361, 402, 426, 448, 465, 490, 500, 501, 503, 558, 610, 621, 625.
——— preſbiterie of— 465, 511.
——— univerſity of— 438, 583, 584, 607.
Glenaſk, lands of— 441.
Glencairne, barronie of— 398.
——— regalitie of— 398.
Glencroce, (Glencorſe), kirk of— 264, 479.
Glenluce, kirk of— 264.
Gordoun, lands of weſter— 441.
Gorthie, lands of— 264.
Grahames Dyke, 414.
Grangrie, town and lands of— 411.
Greinknow of Weſter Gordoun, lands of— 441.
Grenock, kirk of— 45.
——— lands of— 45.

Hadingtoun, burgh of— town of— 4, 30, 73, 84, 93, 96, 138, 171, 207, 247, 251, 279, 299, 315, 326, 361, 373, 402, 500, 501, 531, 595.
——— conſtabulary of— 131, 137, 296, 372, 373.
——— preſbytery of— 464.
——— ſhirrefdome of— 4, 29, 30, 35, 36, 51, 52, 83, 93, 95, 117, 149, 170, 190, 191, 194, 199, 207, 211, 247, 249, 251, 257, 279, 298, 304, 312, 314, 315, 325, 343, 360, 372, 387—389 *incl.* 392, 402, 490, 491, 497—501 *incl.* 522, 533, 539, 543.
Hague, the, 513.
Hairtree, houſe of— 351.
Halyruidhouſe, abbay of— palace of— 158, 419, 420.
——— kirk of— 419, 420.
——— parochine of— 419.
Hamiltoun, preſbytery of— 132.
——— town of— 87, 132, 214, 549.
Hampton Court, 306.
Hartlepoole, caſtle of— 224.
Hatton, lands of— 442.
Hayſtoun, lands and baronie of— 507.
Hearthill, hous and landes of— 608.
Hirdmeſtoun, lands and barony of— 540.
Holdenby, 306, 308, 348, 349.
Holland, 345, 346, 385, 400, 435, 445, 451, 473, 514, 516, 520, 538.
Holmebyhouſe, 240.
Humbie, lands of— 288.
Hylandes, the, 509.

Icolmkilne, (Icolumkelne), iſle of— 493, 500.
Jedburgh, (Jedworth), burgh of— town of— 4, 19, 30, 96, 127, 128, 171, 199, 201, 207, 246, 251, 315, 361, 402, 478, 491, 500, 501.
Ila, 365.
——— lands of— 436.
Iles, (Iſles), the weſtern, 296.
Inchgarvie, iſland of— 522, 532, 535, 540, 548, 550, 584.
Inchkeir, 366.
Inchkeith, iſle of— 507.
Ingland. V. England.
Inverara, (Inverary), burgh of— 30, 253, 441.
Inverеſk, pariſh of— 449.
Inverewin, paroche of— 592.
Inverkeithing, (Inverkethin, Innerkithing), burgh of— town of— 4, 55, 73, 96, 171, 207, 213, 247, 251, 297, 315, 361, 376, 402, 492, 500, 501.
Inverkeithney, parochin of— 539.
Inverloquhie, place of— 327, 345, 522.
Inverneſs, (Innerneſs), burgh of— town of— 4, 30, 35, 55, 79, 95, 96, 117, 119, 135, 171, 199, 200, 206, 207, 222, 237, 251—253 *incl.* 257, 258, 265, 279, 281, 313, 315, 316, 326, 361, 372, 384, 385, 393, 402, 418, 426, 449, 468, 494, 500, 501, 503, 518.
——— ſhirrefdome of— 27, 30, 52, 55, 95, 135, 149, 170, 206, 251, 253, 265, 279, 296, 303, 304, 313—316 *incl.* 327, 360, 372, 378, 387—389 *incl.* 392, 402, 404, 417, 439, 464, 468, 472, 484, 486, 489, 491, 498—501 *incl.* 507, 509, 533, 540, 547, 561, 562.
Inverugie, (Innerugie), lands of— 424.
Ireland, kingdome of— 7—513 *ſeptus.*
Irwin, (Irving, Irveing), burgh of— 4, 6, 9, 18, 19, 54, 84, 96, 143, 171, 199, 207, 251, 315, 361, 402, 426, 500, 501, 503.
Ithan, water of— 286, 287.

Kaithnes. V. Caitnes.
Kellie, houſe of— 120.
Kelſo, abbacie of— 288.
——— burgh of— town of— 84.
Kilbokie, lands of— 484.
Kilboyak, town and lands of— 411.
Kilpatrick, kirk of— 486.
——— parochin of eaſter— 482.
Kilrynnie, (Kilraynie), burgh of— town of— 4, 171, 207, 213, 247, 251, 297, 315, 361, 402, 500, 501.
Kil-ſtewart, bailyiary of— 441.
Kilſythe, 351, 394, 468, 469, 473, 486, 616, 625.
——— houſe of— 625.
Kilwinning, abbacy of— 273, 408.
Kincardine, (Kincairne), lands of— 273, 408.
——— ſhirrefdome of— 4, 28, 30, 35, 36, 52, 55, 96, 117, 119, 134, 149, 170, 176, 199, 206, 212, 251, 252, 257, 280, 296, 300, 304, 313, 315, 360, 372, 377, 387—389 *incl.* 394, 402, 424, 490, 498—501 *incl.* 507, 533, 549, 558, 559, 561, 562, 572, 587, 593.
——— wood of— 285.
Kingerloche, lands of— 403, 500.
Kingkell, kirk of— 414.
——— parſonage of— 370.
Kingorne, (Kinghorne), burgh of— 4, 73, 84, 93, 96, 122, 138, 171, 199, 207, 213, 247, 251, 274, 288, 297, 315, 361, 402, 425, 500, 501, 503, 565, 596, 597, 601, 606.
Kinloſe, houſe of— 411.
Kinneill, kirk of— 414.
Kinroſſe, burgh of— 490.
——— parochine of— 572.
——— ſhirrefdome of— Kinroſhyre— 28, 30, 35, 36, 51, 54, 134, 149, 170, 207, 247, 249, 251, 252, 257, 296, 313, 315, 360, 372, 387—389 *incl.* 402, 498, 499—501 *incl.* 533, 561, 582.
Kintore, town of— 21.
Kintyre, lands of— 436.
Kirkcaldie, burgh of—, town of— 4, 54, 73, 84, 93, 96, 160, 171, 199, 207, 213, 246, 251, 276, 297, 315, 361, 402, 425, 500, 501, 584, 594, 595, 609.
——— preſbytery of— 117, 297, 376.
Kirkcanders, parochine of— 382.
Kirkcowane, parochine of— 52.

Kirkcudbright, (Kirkubrie, Kircudbusgh), burgh of— 4, 96, 171, 199, 207, 251, 315, 361, 500, 501.
——— ſhirrefdome of— 52, 96, 191, 304, 314, 389, 402, 485, 490, 497, 594.
——— ſtewartry of— 29, 30, 35, 36. 52, 53, 88, 93, 96, 117, 135, 137, 149, 170, 194, 207, 213, 214, 247, 249, 251, 257, 280, 296, 301, 360, 372, 379, 387, 388, 402, 444, 486, 490, 497—501 *incl.* 521, 528, 530, 533, 587.
Kirkmabrek, kirk of— 182.
Kirkmahoe, paroche of— 509.
Kirkmichell, paroche of— 592.
Kirkpatrick, paroche of— 462, 590, 591.
Kirkwall, town of— 30.
Kirriemure, parochin of— 282.
Knarſburgh, town of— 105.
Knoidart, country of— 372.
Knokfergus, 21.
Kyle, ſtewartry of— 117, 522.

Lamalaſh, 124.
Lancaſhire, 99.
Lanerick, (Lanark, Lenerick), burgh of— 4, 19, 30, 84, 87, 96, 132, 138, 171, 207, 214, 246, 251, 315, 361, 402, 426, 436, 439, 440, 468, 500, 501, 503, 512.
——— paroch of— 446.
——— preſbytery of— 132.
——— ſhirrefdome of— 4, 29, 30, 35, 36, 51, 53, 83, 86, 87, 93—95 *incl.* 117, 132, 137, 149, 170, 191, 194, 198, 199, 207, 213, 217, 244, 246, 249, 251, 257, 279, 296, 297, 304, 312, 314, 315, 360, 372, 374, 387—389 *incl.* 392, 402, 403, 481, 490, 497—503 *incl.* 522, 533, 621, 622.
Langtoun, baronie of— 288.
——— paroche of— 481.
Larg, lands of— 408.
Largie, lands of— 539.
Larſs, ſeven kirks of Eiſt— 377.
Latham houſe, (in Lancaſhire), 99.
Lauder, burgh of— 4, 73, 96, 171, 207, 246, 251, 299, 315, 361, 402, 491, 500, 501.
Lauderdaill, bailliarie of— 51, 52, 131, 137, 190, 273, 296, 298, 365, 372, 497, 522, 593—595 *incl.*
Leadhill, 507.
Leggatſden, houſe of— 120.
Leith, (Leythe), burgh of— town of— 48, 51, 83, 86, 87, 111, 124, 151, 172, 253, 295, 317, 318, 385, 468, 494, 507, 517, 520, 521, 530—532 *incl.* 600.
——— kirk of— 467.
——— links of— 45.
——— north and ſouth, 318.
——— peir and ſhore of— 32, 144, 340, 494, 507, 593, 598.
——— port of— 19, 468, 535.
Lenrick. V. Lanerick.
Lenyie, (Leinzie), parochin of— 313, 590, 591.
Lewis, Iſle of— 51, 96, 372.
Leonard's College, (Saint Leonard's, in Saint Andrews), 474, 475.
Lerber, parochin of— 548, 549.
Linlithgow, (Lithgow), burgh of— 4, 30, 84, 93, 96, 171, 199, 207, 247, 251, 279, 315, 361, 402, 426, 490, 500, 501, 503, 517, 531, 593.
——— preſbytery of— 414, 471.
——— ſhirrefdome of— 4, 28, 30, 35, 36, 51—53 *incl.* 73, 83, 93, 95, 96, 117, 132, 137, 149, 170, 190, 191, 194, 199, 207, 214, 247, 249, 251, 257, 279, 296, 297, 304, 312, 314, 315, 323, 345, 360, 366, 372, 374, 387—389 *incl.* 398, 402, 435, 471, 480, 490, 497—501 *incl.* 522, 523, 533, 543, 621, 622.
Lochaber, (Lochquhaber), 51, 296, 372.
Lochend, eſtate of— 528.
Lochkender, 326.
Lochlevin, houſe of— 563.
Lochmaben, burgh of— 4, 96, 171, 207, 251, 298, 315, 361, 402, 500, 501.
Lochrenie, baronie of— 288.
Lochryan, 124.
Logie, houſe of— 120.
Logiemontrois, paroſh of— 264, 265.
London, city of— 6, 15—17 *incl.* 85, 93, 104, 145, 187, 235, 240, 241, 248, 249, 264, 268, 294, 308, 310, 338, 347, 356, 358, 362, 363, 404, 473, 456.
Longmarſtoun moore, 105.
Lorber. V. Lerber.
Lothian, (Lowthiane), eaſt, 123, 325, 327, 410, 507.
——— middle, 257, 324, 502, 522, 533.
——— ſhirrefdome of— 121, 199, 367, 392, 553, 594.
Lowdoun, lands and barony of— 540.
Lumlathyn, lands of— 442.
Lurg, lands of— 273.

Manchester, town of— 99.
Mark Caſſie, town and lands of— 411.
Mauchline moore, 345, 354, 355.
Mearns, (Mernes), ſherifdome of— 222, 249, 547, 560.
Megle, (Meigell), preſbytery of— 117, 211, 377.
Merſe, ſhire of— 497, 538.
Mertonyne, lands and barony of— 540.
Midlebrugh, town of— 506.
Midlowtheane. V. Lothian.
Miggill. V. Megle.
Mochrum, pariſh of— 52.
Moidart, country of— 296, 372.
Moneymoſs, maines and paroſchine of— 608.
Moniaburgh, pariſh of— 459.
Montroſe, (Mourose), burgh of— town of— 4, 73, 88, 96, 171, 199, 200, 207, 211, 251, 255, 266, 278, 315, 361, 381, 402, 490, 500, 501, 581, 604, 617.
Monygaff, parochin of— 587, 588.
Morven, lands of— 403, 500.
Morvingſide, (Morwingſide), kirk of— 334.
——— parochin of— 588.
Moſfennan, lands of— 373.
Moy, houſe of— 345.
Muck, iſle of— 403, 500.
Muckart, pariſh of— 233, 286, 472.
Mugdock, lands and barony of— 220, 383, 529. V. Neilſtown.
Muk. V. Muck.
Mule, iſle of— 403, 500.
Murray, ſhirrefdome of— 117, 149, 222, 232, 314, 396, 558, 559, 561, 562.

Narne, (Nairne), burgh of— 30, 96, 171, 207, 251, 252, 281, 300, 316, 361, 402, 404, 468, 500, 501.
——— ſhire of— 4, 27, 30, 35, 52, 55, 79, 95, 117, 119, 135, 149, 206, 222, 251, 252, 257, 296, 300, 304, 313, 315, 316, 323, 360, 372, 378, 387—389 *incl.* 402, 403, 407, 468, 484, 489, 498—501 *incl.* 533, 559, 561, 562.
Neillſtowne, lands and barony of— 529, 539.
Neſſe, river of— 52, 79, 313, 314, 387, 498, 533.
Newburgh, 582, 609.
Newcaſtle, town of— 102, 182, 183, 194, 206, 224, 225, 235, 236, 238—241 *incl.* 243, 248, 249, 264, 306, 338, 348, 484, 485, 509, 525, 550, 585.
Newgalloway, burgh of— 4.
Newtoun, lands of— 365.
——— town and maner-place of— 365.
New-wark (of Trent), town of— 205, 239.

Nithiſdaill, (Niddiſdaill), 117, 194, 196, 522.
Noidert, country of— 51, 296.
Northampton, countie of— 240.
Northberwick, burgh of— town of— 4, 73, 96, 171, 207, 247, 251, 273, 279, 299, 315, 361, 402, 490, 500, 501.
North Illes, the, 51.
Northumberland, countie of— 84, 188.

Ochtourardour, preſbytery of— 376.
Ogilbie, lands and barony of— 443.
Orkney, (Orkney), biſchoprick of— 158—160 *incl.*
——— earldome of— 144.
——— ſhirrefdome of— 30, 36, 52, 56, 86, 96, 136, 149, 157, 158, 170, 199, 206, 222, 251, 257, 269, 296, 313—315 *incl.* 360, 379, 387—389 *incl.* 392, 402, 491, 498—501 *incl.* 518, 533, 534, 549, 559, 561, 562, 584.
Orwall, parochin of— 572.
Oubyne, 15.
Ouſe, river of— 105.
Overhouden, lands of— 288.
Oxforde, city of— 16, 60, 116, 141, 485.

Paiſley, burgh of— town of— 188, 323.
Peart, (Pert), kirk of— 264.
——— pariſh of— 264, 265, 592, 593.
Peebles, burgh of— town of— 4, 30, 96, 171, 207, 246, 251, 315, 361, 402, 491, 500, 501.
——— ſhire of— 4, 29, 30, 35, 36, 51, 52, 83, 93, 95, 117, 132, 137, 149, 170, 186, 190, 191, 194, 199, 207, 246, 249, 251, 257, 278, 285, 296, 300, 304, 315, 351, 352, 360, 372, 373, 387—389 *incl.* 402, 491, 497—501 *incl.* 522, 533, 539.
Perth, burgh of— town of— 4, 6, 19, 30, 73, 84, 87, 91, 96, 171, 191—193 *incl.* 200, 205, 207, 242, 247, 251—253 *incl.* 313, 315, 316, 361, 368, 370, 376, 377, 383, 385, 402, 426, 436, 468, 481, 495, 500, 501, 503, 506, 522, 534, 542, 578, 584, 589, 593, 596, 598, 601, 605, 606, 610, 611, 615, 621.
——— preſbytery of— 117, 377.
——— ſhire of— 4, 28, 30, 35, 36, 51, 55, 96, 117, 134, 137, 149, 170, 194, 195, 198, 199, 206, 212, 247, 249, 251, 252, 257, 258, 278, 279, 296, 301, 304, 310, 313—316 *incl.* 326, 334, 360, 365, 370—372 *incl.* 376, 387—389 *incl.* 392, 402, 447, 459, 465, 468, 469, 483, 486, 490, 495, 498—501 *incl.* 506, 519, 522, 523, 551, 558, 559, 561—563 *incl.* 565, 566, 572, 573, 581, 587, 621, 522, 625.
Pettie, lands of— 484.
Philiphauch, 208, 234, 246, 247, 250, 512.
Pitcaple, houſe of— 394.
Pittenweyme, burgh of— 4, 19, 96, 171, 199, 207, 213, 246, 251, 297, 315, 316, 376, 402, 465, 500, 501.
Pittreuchie, lands of— 442.
Pleaſance, (near Edinburgh), the, 151, 173, 253, 317, 318.
Port Patrick, 124.
Potterraw, (in Edinburgh), 151.

Queensferrie, burgh of— 4, 73, 96, 122, 171, 207, 247, 251, 297, 315, 323, 361, 402, 490, 500, 561, 523.

Raffert, town and lands of— 411.
Ravinſheuch, place of— 612, 613.
Redcaſtell, 509.
Renfrew, (Ranfrew), baronie of— 194.
Renfrew, burgh of— 4, 30, 84, 96, 171, 199, 207, 251, 302, 315, 323, 361, 402, 500, 501.
——— ſhirrefdome of— 4, 29, 30, 35, 36, 50, 52, 54, 83, 93, 96, 117, 133, 137, 149, 170, 191, 199, 207, 214, 217, 249, 251, 257, 280, 296, 302, 304, 312, 314, 315, 323, 360, 375, 387—389 *incl.* 402, 483, 490, 497—501 *incl.* 509, 522, 533, 534, 554, 594, 615, 621, 622.
Riccartoune, mylnes and coalhewches of— 393.
——— nyne merkland of— 393.
Roſs, biſhopricke of— 486.
——— cathedral kirk of— 395.
——— chanonrie of— 395.
——— ſhire of— 439, 472, 489, 498, 499, 501, 502, 509, 533, 561, 562.
——— town of— 490.
Roſſey, kirk of— 589.
Rotheſay, (Rothſay), burgh of— 4, 30, 96, 171, 207, 251, 252, 315, 316, 361, 402, 500, 501.
Rowme, iſle of— 403, 500.
Roxburghe, ſhire of— 4, 5, 29, 30, 35, 36, 51, 54, 83, 84, 93—96 *incl.* 117, 133, 137, 149, 170, 186, 191, 196, 199, 207, 212, 246, 249, 251, 257, 296, 301, 304, 312, 314, 315, 323, 327, 360, 372, 375, 387—389 *incl.* 392, 402, 449, 491, 498—501 *incl.* 533, 540, 594, 595.
Rutherglen, (Ruglen), burgh of— 4, 96, 171, 207, 246, 251, 279, 298, 315, 361, 402, 450, 490, 500, 501.
Ruthven of Badinoch, fortalice of— 490, 522.
Rynd, eiſter, 377.

Saint Andrews, (Sanct Andros), archbiſhoprick and priory of— 346, 357, 359.
——— ——— burgh of— town of— 4, 6, 84, 96, 171, 199, 205, 207, 213, 224, 230, 246, 248, 251, 269, 274—276 *incl.* 304, 315, 354, 355, 359, 361, 366, 376, 380, 386, 396, 402, 411, 425, 426, 464, 465, 480, 492, 500, 501, 505, 534, 567, 578, 596, 597.
——— ——— church of— 359.
——— ——— new colledge of— 408.
——— ——— pariſh of— 182, 198, 359.
——— ——— preſbytery of— 117, 297, 334, 376, 581, 586.
——— ——— univerſity of— 123, 129, 130, 205, 228, 346, 357—359 *incl.* 401, 411, 421, 426, 439, 446, 449, 487.
Saint Cuthbert's kirk, (in Edinburgh), 159.
——— ——— pariſh of— 72.
Saint Fergus, paroche of— 52.
Saint Johnſtoun, caſtle of— 479.
——— ——— town of— 608, 614.
Saint Leonard's College, (in Saint Andrews), 97, 98, 474, 475
Saint Martin's Yland, 98.
Saint Ninians, kirk of— 625.
Saint Tob's Head, 238.
Saltoun, baronie of— 286.
Sanquhar, (Sanchuer), burgh of— 4, 96, 171, 207, 251, 298, 246, 315, 361, 402, 500.
Schethin, houſe of— 120.
Scotland, *paſſim.*
Selkirk, burgh of— town of— 4, 30, 84, 96, 171, 201, 207, 224, 246, 251, 315, 361, 402, 491, 500, 501, 594.
——— ſhire of— 29, 30, 35, 36, 51, 52, 73, 83, 93, 96, 117, 132, 137, 170, 186, 190, 191, 196, 199, 207, 213, 246, 249, 251, 257, 296, 302, 304, 312, 314, 315, 327, 360, 372, 373, 387—389 *incl.* 392, 402, 435, 449, 491, 497—501 *incl.* 522, 533, 540.
Simpreine, paroche of— 481.
Slamanno, parochin of— 588.

Spango, lands of— 45.
Spey, river of— water of— 52, 165, 166, 304, 311, 396, 528, 562, 611.
Spey-mouth, 535.
Spyne, parish of— 366.
Stanehyve, burgh of— 30, 87, 88.
Stirling, (Stirline, Steirline, Striveling), burgh of— 4, 6, 19, 24, 30, 73, 84, 86, 93, 96, 122, 137, 171, 190, 192, 197, 199, 200, 205, 207, 242, 251—253 *incl.* 281, 313, 339, 344, 346, 361, 367, 401, 402, 426, 452—454 *incl.* 490, 500, 501, 503, 518, 531, 534, 557, 562, 579, 582, 589, 591, 596, 597, 603, 609, 611, 614, 615, 620, 622, 625.
——— castle of— 105, 323, 327, 384, 479, 522, 551, 562, 578, 598, 599, 603.
——— hospital of— 612.
——— presbyterie of— 578.
——— shirrefdome of— 4, 28, 30, 35, 36, 51, 53, 64, 83, 86, 93, 95, 117, 121, 135, 137, 149, 170, 190, 194, 199, 205, 206, 211, 249, 251, 252, 257, 277, 281, 296, 298, 304, 313—316 *incl.* 323, 345, 354, 360, 367, 372, 379, 387—389 *incl.* 392, 398, 402, 437, 468, 486, 498—501 *incl.* 506, 522, 533, 559, 561, 562, 593, 621, 622.
Stobo, place of— 351.
Stocktoun, castle of— 224.
Stragothro, parochine of— 592, 593.
Straloch, lands of— 424.
Stranaver, (Stranever), 52, 498, 538, 559, 561, 563.
Stranrawer, country of— 467.
——— house of— 327, 489, 522.
——— presbitrie of— 52, 117, 472.
Strathbogy, (Strabogie), house of— 327, 522.
——— lands of— 467, 592, 593.
Strathfpey, 55, 135.
Sunderland, 484, 485.
Sutherland, shirrefdome of— 4, 27, 30, 35, 52, 55, 95, 117, 119, 135, 149, 170, 206, 222, 251, 252, 257, 280, 296, 299, 304, 313—316 *incl.* 360, 372, 379, 387, 388, 392, 402, 418, 489, 498—501 *incl.* 533, 538, 559, 561, 562.
Sweden, kingdom of— 573.

Taine, (Tayne, Thayne), burgh of— 4, 96, 171, 207, 251, 252, 315, 316, 361, 378, 402, 438, 450, 500, 501.
Tamtallan, house of— 523.
Tannadyce, parochin of— 282.
Tarbet, 149.
Tay, river of— water of— 222, 304, 367, 377, 459, 464, 521.
Temple, lands of— 297.
Tery, (Terie), ile of— 403, 500.
Teviotdaill, (Tiwydaill), shirrefdome of— 194, 497, 538.
Thirlewall, castle of— 224.
Thirlstane, 414.
Thurfay, town of— 30.
Tinmouth, castle of— 224, 225.
Tipper Moore, 441.
Tippertie, house of— 120.
Todcaster, town of— 105.
Tong, house of— 538.
Tueddaill, 553, 594.
Tulloche, town and lands of— 411.
Turbetnes, 52.

Ugstoun, kirk of— 334.
Ulster, 16, 124—126 *incl.*
Ure, 117.

Warieftoun, lands of— 540.
Warkworth, castle of— 224.
Wester Gordoun. V. Gordoun.
Westmereland, 99.
Westminster, city of— 241, 294, 307, 309, 348, 404, 406, 466.
Westport (of Edinburgh), the, 151.
Weymes, place of— 553.
Whitehouse of Birse, house of— 120.
——— of Cromar, house of— 120.
Whitorne, (Whithorne), 4, 96, 171, 207, 251, 315, 361, 402, 426, 500, 501, 503.
Whytehall, 293.
Wicklow, county of— 69.
Wight, ile of— 306, 341, 342.
Wigtoun, burgh of— 4, 30, 96, 171, 207, 247, 251, 296, 302, 315, 361, 402, 500, 501.
——— presbyterie of— 52.
——— shirrefdome of— 29, 30, 35, 36, 52, 53, 93, 96, 117, 133, 137, 149, 170, 191, 194, 199, 207, 211, 249, 251, 257, 258, 304, 312, 314, 315, 360, 372, 374, 387—389 *incl.* 402, 444, 485, 486, 490, 497—501 *incl.* 507, 521, 533, 588, 594.
Windsor, 337, 348.
Woburn, (Wooburn), 293, 306.
Woodlsbie, barronie of— 573.
Wxbridge, town of— 225, 226.

Yla. V. Ila.
Yles, the, 509.
York, city of— 38, 99—102 *incl.* 105, 114, 145, 146, 488.

Zeland, 7.
Zetland, 149, 157, 296, 501, 533, 534, 549, 559, 561, 562.

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on 18 July, 2018